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MISCELLANEOUS MONASTIC CHARTERS

A LETTER OF JAMES III TO THE DUKE OF BURGUNDY

THE ENGLISH ARMY AT FLODDEN

LORD CHANCELLOR GLAMIS AND THEODORE BEZA

DOCUMENTS RELATING TO PRINCE CHARLES EDWARD'S GRANDSON

PAPERS RELATING TO A RENFREWSHIRE FARM, 1822-30

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Edited by D. E. Easson, Ph.D.

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MISCELLANEOUS MONASTIC CHARTERS

Edited by

D. E. EASSON, PH.D.

INTRODUCTION

Of the following charters those belonging to the abbey of Balmerino were found among the Moray charters at Darnaway Castle, while the Scone charter is taken from a transumpt discovered at Darnaway in 1942.[1] The Inchcolm charter is abstracted from the original among the Morton charters now lodged in H.M. General Register House. It was intended to include Coupar Angus items from the charters in the possession of the Rt. Hon. the Earl of Wharncliffe, but these appear, from recent investigation, to have been totally destroyed during the war.

My thanks are due to the Rt. Hon. the Earl of Moray as well as to Dr. Gordon Donaldson and Mr. James Young for valued assistance.

D. E. E.

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[1] *Coupar Angus Charters* (Scot. Hist. Soc.), i. p. 8 *n.*

CHARTERS OF BALMERINO ABBEY

I

1230.

Cirographum

Anno Gracie m° . cc° . Tricesimo . In concilio . Apud Dunde facta fuit Hec Amicabilis Compositio Inter Abbatem et conuentum de Aberbrothoch ex una parte et abbatem et conuentum de Sancto Edwardo de Balmurinach ex altera . Uidelicet quod dicti abbas et conuentus de Aberbrothihoch dimiserunt ad firmam dicto abbati et conuentui de Balmurinach de Sancto Edwardo inperpetuum ecclesiam de feuthmureue cum omnibus pertinentiis et Juribus et Libertatibus Sine aliqua exceptione et retenemento ad eandem ecclesiam pertinentibus pro Quadraginta Marcis argenti . quas dictus abbas et conuentus de Sancto Edwardo de Balmurinach soluent annuatim dictis abbati et conuentui de Aberbrothoch . ad duos terminos . Scilicet medietatem ad pentecosten. et medietatem ad festum Sancti Martini . Predictus uero abbas et conuentus de Aberbrothoch respondebunt Domino Episcopo Sancti Andree et eius successoribus de omnibus Episcopalibus et aliis oneribus ad dictam ecclesiam de feuthmureue spectantibus. Ita tamen quod cappellanus qui eidem ecclesie deseruiet habebit unam bouatam terre in eodem territorio sibi assignatam per suas rectas diuisas . Sicut in initio huius conuentionis perambulata fuit . a . Domino Jocelino de Balendard. et Domino Nicholao de yneuirpefre coram Domino abbate de Aberbrothoch . et priore . et aliis probis hominibus Clericis et Laicis Hanc autem compositionem fideliter et sine malo ingenio inperpetuum seruandam . predicti abbates de assensu conuentuum suorum pro se et successoribus suis Coram domino W. episcopo Sancti andree affidauerunt. Et ad maiorem securitatem huic scripto in modum cyrographi confecto . cum sigillis utriusque partis

apposita sunt sigilla domini episcopi sancti andree et eiusdem loci capituli . Testibus . Domino . W. de Sancto Andrea . Domino W. de Glasgu . Domino . G. de aberden . Domino . G. de Breyhin . Domino . G. de Chathenis . Domino . O. de starthhern . Episcopis . Domino . J. de Lundoris . et Domino . W. de Quilinros . abbatibus . Magistro . L. et Magistro . W. de Sancto andrea . et de Dunkeld archidiaconis . Magistro H. de Norberwich . et Magistro . W. de Grenlau . et multis aliis.

One fragmentary seal remains; tags intact. Endorsement faded.

Moray Charters, Box 32, Div. V, Bundle I, No. 17.

I

Indenture recording an agreement, made in a council at Dundee in 1230, between the abbot and convent of Arbroath and the abbot and convent of Balmerino, whereby Arbroath leases to Balmerino in perpetuity the church of Feuthmureve for an annual payment of forty silver marks. Arbroath will be responsible to the bishop of St. Andrews for the episcopal dues of that church; and the chaplain serving it will have a bovate of land as perambulated by Sir Jocelin de Balendard and Sir Nicholas de Inverpeffer.

This charter does not appear in *Liber S. Marie de Balmorinach.* It represents a hitherto unrecorded stage in the negotiations whereby the church of Fethmureve passed from the hands of Arbroath into those of Balmerino. See Campbell, *Balmerino*, pp. 123-4; and cf. *Balmorinach*, 9.

The acquisition of this church by Balmerino was in accordance with the policy commonly pursued by a Cistercian community, viz. the appropriation of a church situated in its lands (cf. *Coupar Angus*, i. p. xxxix). The land of Fethmure is mentioned in a charter of Alexander II., 3 February, 1230/1, as one of the king's grants to that abbey at its foundation (in 1229) (*Balmorinach*, 1).

In concilio Apud Dunde: This council does not seem to be mentioned elsewhere. If it was a provincial council, it must have been one of the first to be held following the bull of Honorius III. (1225) which authorised the holding of such councils by the church in Scotland.

Dimiserunt ad firmam . . . ecclesiam de feuthmureue . . . pro Quadraginta Marcis argenti: This was the church of Barry, in

Angus, bestowed upon Arbroath by William the Lion (*Aberbrothoc*, i. 21). The monks of Balmerino were relieved from this payment through the grant to Arbroath by Alexander II. of an equivalent amount from lands in Tarves (*ibid.*, i. 102).

Respondebunt . . . de omnibus Episcopalibus : In the final arrangement between the two houses, this provision remained (*Balmorinach*, 9). On 7 April, 1464, it was reiterated with the additional proviso that Arbroath would repair the choir of the church ' on this occasion only,' while Balmerino, for an annual payment of twenty silver shillings, would uphold the choir thereafter (*Aberbrothoc*, ii. 152).

Cappellanus qui eidem ecclesie deseruiet : The parish was afterwards served by a vicar-pensioner (the later medieval equivalent of a parochial chaplain), who was presented by Arbroath (*ibid.*, ii. 147, 323, 783).

Jocelino de Balendard : The perambulation conducted by him is also mentioned, *Aberbrothoc*, i. 258. He witnesses the resignation of the church of Barry by Arbroath (*Balmorinach*, 9) and an undated charter of Henry Revel and Margaret, his spouse (*RPSA.*, p. 271). See *Carnegies*, i. pp. xxiii-xxiv, for an account of this family as the ancestors of the Carnegies.

Nicholao de yneuirpefre : Witnesses charters of John de Scotia, earl of Chester and Huntingdon (*RPSA.*, p. 241) as well as the charter of resignation of the church of Barry (*Balmorinach*, 9). According to *Carnegies*, i. p. xxiv, Nicholas' land—Inverpeffer in Angus—was in the parish of Arbirlot, adjoining the land of Jocelin de Balendard. Cf. Campbell, *Balmerino*, pp. 56-7.

Domino W. de Sancto andrea (episcopo) : William de Malvoisine, bishop of St. Andrews, 1202-38 (Dowden, *Bishops*, pp. 12, 13).

Domino W. de Glasgu (episcopo) : Walter, bishop of Glasgow, 1208-32 (*ibid.*, p. 301).

Domino G. de aberden (episcopo) : Gilbert de Strivelyn, bishop of Aberdeen, 1228-39 (*ibid.*, p. 103).

Domino G. de Breyhin (episcopo) : Gregory, bishop of Brechin, 1218-42 (?) (*ibid.*, pp. 174-5).

Domino G. de Chatenis (episcopo) : Gilbert de Moravia (' St. Gilbert '), bishop of Caithness, 1224-45 (?) (*ibid.*, p. 235).

Domino O. de starthhern (episcopo) : This is the only dated reference to Osbert, bishop of Dunblane. He held the see for some period between 1227 and 1231 (*ibid.*, p. 196).

Domino J. de Lundoris (abbate) : John, second abbot of Lindores. See *Lindores*, p. 303.

Domino W. de Quilinros (*abbate*) *:* William de Ramesei, abbot of Culross. His death in 1232 is recorded (*Chron. Mailros*, p. 142). See *Inchcolm*, p. 128.

Magistro L. . . . de Sancto andrea (*archidiacono*)*:* For master Laurence, archdeacon of St. Andrews, see *Coupar Angus*, i. p. 48.

Magistro W. . . . de Dunkeld (*archidiacono*) *:* Master William de Edenham, mentioned as archdeacon of Dunkeld, 1225 to 1245. See *Inchcolm*, p. 119.

Magistro H. de Norberwich : Master Hugh de Northberwick witnesses a charter of William, bishop of St. Andrews, 1219-26 (*Aberbrothoc*, i. 151).

Magistro W. de Grenlau : Master William de Greenlaw witnesses an agreement between the prior and archdeacon of St. Andrews in 1212 (*RPSA.*, p. 316) ; is mentioned as holding the church of Kirkcaldy, *c.* 1220 (*Dunfermelyn*, 111, 225) ; and is present at the making of an agreement between St. Andrews and the nunnery of Haddington (*RPSA.*, p. 330).

II

10 February, 1231/2.

Alexander dei gratia rex Scocie Omnibus vicecomitibus tocius terre sue salutem. Mandamus uobis firmiter precipientes quatinus cum monachi uel fratres de sancto edwardo in fif ad nos accesserint de aliquibus malefactoribus conquerentes . qui aueria sua uel pecuniam suam furtim abduxerint uel subtraxerint. causas dictorum monachorum et fratrum de sancto edwardo . tanquam causam nostram propriam prosequemini appellaciones et responsiones contra ipsorum malefactores secundum genus cause sue facientes . et pugnatorem si forte opus fuerit . ex parte nostra eisdem monachis et fratribus inuenientes . donec causa eorundem consideracione uirorum discretorum . uel composicione mediante. fine debito terminetur. Cum autem causa sepedictorum monachorum uel fratrum fine debito sicut dictum est fuerit terminata. et malefactores eorum in sua fuerint conuicti uel quasi conuicti malitia . uolumus ut dictis monachis uel fratribus aueria sua uel pecunia que cisdem fuerint sublata . de catallis malefactorum suorum plene sint restituta. Forisfacta uero et amissiones in quas

dicti malefactores uel eorum plegii per delicta sua inciderint ad nostram potestatem secundum quod ius decreuerit . omnino deuoluatur. Fratres autem de sancto edwardo et eorundem homines latores presencium sub firma pace nostra et protectione iuste suscepimus. firmiter prohibentes ne quis iniuriam. uiolenciam. uel grauamen aliquid eisdem iniuste inferat. uel inferre presumat super nostram plenariam forisfacturam . Testibus. W. de Bondingtuna Cancellario. W. filio alani senescalli . Justiciario Scocie . laurentio de Abbirnithin . Patricio filio Comitis Patricii . Dauid de lyndeseia . Patricio de Abbirnithin . Anselmo de Camelin . Johanne de monteforti apud Selechirk Decimo die Februarii . Anno regni domini regis Octauidccimi.

Seal and tag missing. Endorsed : De malefactoribus.

Moray Charters, Box 32, Div. IV, Bundle I, No. 6.

II

Charter of Alexander II. whereby he ordains his sheriffs to pursue the causes of the monks of Balmerino against those who molest them even as his own and takes the monks and their men under his protection.

This charter does not appear in *Balmorinach.*

Monachi uel fratres de sancto edwardo in fif : The patron saint of Balmerino abbey was Edward the Confessor.

Pugnatorem : The champion in a judicial combat.

W. de Bondingtuna Cancellario : William de Bondington, appointed chancellor in 1231 and in the following year elected to the bishopric of Glasgow (Dowden, *Bishops*, p. 302).

W. filio alani senescalli Justiciario Scocie : Walter was the third high steward of Scotland. See *Coupar Angus*, i. p. 96.

Laurentio de Abbirnithin : Resigned Coultra to the monks of Balmerino (*Balmorinach*, 7). See *Inchcolm*, pp. 128-9.

Patricio filio Comitis Patricii : Patrick, son of Patrick, fifth earl of Dunbar, became sixth earl in 1232 (*Scots Peerage*, iii. p. 255).

Dauid de lyndeseia : This must be a later David de Lindsay than the man of that name who is the subject of a note, *Lindores*, p. 246, and is stated there to have died in 1230. It is probably

the present witness who appears, 5 February, 1240/1 (*Scon*, 74), 12 November, 1246 (as justiciar of Lothian) (*ibid.*, 81), 8 February, 1246/7 (*Melros*, i. 266) and, undated (*Balmorinach*, 10).

Patricio de Abbirnithin : Patrick, son of Laurence of Abernethy, appears in the latter's charter to St. Andrews (*RPSA.*, p. 268). ' Very little is known about him and he perhaps died *vitâ patris* ; at all events he was dead before 1254 ' (*Scots Peerage*, vii. p. 399).

Anselmo de Camelin : Witnesses Arbroath charters, *p.* 1214 to 1245 (*Aberbrothoc*, i. 25, 272, 263, 271). He has a charter from Alexander II. of the land of Inverlunan (in Angus) in excambion for the land of Bridburgh in Nithsdale (*Carnegies*, ii. p. 478, no. 26).

Johanne de monteforti : Evidently John, son of William de Monteforti, who witnesses with his brothers, William and Robert, charters of Roger, bishop of St. Andrews, 1188-1202 (*Aberbrothoc*, i. 146) and 1198 (*ibid.*, 147, 148), and attests Arbroath charters, *c.* 1206 (*ibid.*, 67, 68) and at other unspecified dates (*ibid.*, 89, 185). He granted Glaskeler to Arbroath, 1211-1214 (*ibid.*, 70), and twelve pence from the ferme of Petcollin to St. Andrews (*RPSA.*, p. 277).

III

10 Oetober, 1532.

Be it kend till all men be thir present letteres Me alexander cokburne in the grange of balmerynache To be bundyne and oblist And be the tenour of this present lettir bindis and oblissis me my aieris etc. . . . Onto. . . . Robert abbote of balmerynache and eonuent of the samyn. . . . That forsamekle the said abbote and eonuent hes set to me and my aieris in feuferme . . . the thrid part of the grange of barry upper barrymure nethirbarrymure Cotwallis The Kirk halch Tua aikir of land in the cotside that Thomas stene oeeupijt . . . liand withtin the baronnry of barry . . . lik as is eontenit in the chartter of fewferme. . . . Herfor I the said alexander bindis and oblissis me my aieris ete. . . . to fulfill and keip all the poynttis in the said chartter In speciall sall pay the few maile eontenit in the said ehartir at tua usuale termis . . . vndir the pane of tuenty sehillingis And for the seeund fyftene dais / fourty

schillingis And sua furtht Ilk fiftene dais fourty schillingis Secundly I and my aieris etc. . . . sall ressaue the abbote and conuent quhen thai sall cum to our houssis one our expensis anis or twiss in the 3ere for ane day or tua and treit thame honestlie as efferis Alsua sall pas witht our cornis to the myllis of the said baronnry quhen thai haue watir to grynd the saidis cornis And sall ride witht the said abbote and conuent to the kingis Weyris at all generall proclamatiounis one our awin expensis quhen I or thai beiss requirit tharto be the said abbote and conuent and thar successouris And quhen I ame requirit to ride witht thame to thar honest erandis one thar expensis And sall tak thar afald and plane part in all lafull honest causis And sall neuir cum in the contrare of thame eftir the auth of fidelite maide be me to thame as is requirit be the law of the forme of fidelite of few Capitulo j°xxj° questione v^ta^ de forma de Iuramento / Ego etc. And sall ansuere to our thre hed courtis and to vthiris courtis quhen we ar warnyt be our officiaris to do seruice tharin siclik as vthiris tennenttis dois And sall nocht truble molest perturbe na Inquiete the tennentis withtin our baronnry And . . . I the said alexander bindis and oblissis me my aieris etc. . . . vndir the paine of tene pundis usuale money for the first tyme gif I or my aieris fail3eis of the premissis The secund tyme tuenty pundis The thrid tyme fourtty pundis The ferd tyme ane hundretht puindis The fift tyme tua hundretht pundis The quhilk soume abone writin nocht beand pait. . . . The saidis landis to be apprisit to ws for the samyne Nochtwithtstanding the poynttis abone writin. . . . In Witnes herof I the said Alexander hes seilit and subscriuit this obligacione. . . . At balmerynache the tene day of october In the 3ere of god ane thousand fiwe hundrethe thretty and tua 3eris Befor thir Witnes Androw kinlocht in luthre Alexander auchinlek Jame[s] stirk henry boitour Jok sanders Paule stirk Robert dune 3oungare Jok thomsone baxstar Dauid boitour Jame[s] bane Adare and schir Alexander Car notar witht vythiris diuersis.

Alexander Cowbron witht my hand twechand
the peyn.

Seal missing. Endorsement (faded and in later hand): Alexander Cobroune his obligacioun for His (?) landis in Barry.

Moray Charters, Box 32, Div. VI, No. 1.

III

Bond of manrent by which Alexander Cockburn in the Grange of Balmerino enters into an obligation to Robert, abbot of Balmerino and his convent, whereby, in regard they have leased to him and his heirs the third of the grange of Barry and other lands in the barony of Barry, he will pay the feu mail, will entertain the abbot and convent once or twice yearly for a day or two at his own expense, will take his grain to the mills of the said barony, will ride with the abbot and convent to the king's wars, will answer to the three head courts and to other courts when warned to do so, and will not trouble nor molest the tenants within the barony under monetary penalty, in default of payment of which the said lands will be apprised.

Alexander cokburne in the grange of balmerynache: For a reference to Cockburn as one of the abbey's tenants see Campbell, *Balmerino*, p. 569.

Robert abbote of balmerynache: Robert Foster or Forrester, last regular abbot. See *Coupar Angus*, ii. p. 155.

Grange of barry, etc.: For these places in the parish of Barry, see Campbell, *Balmerino*, *passim*.

Thomas stene: This may be Thomas Stevenson, who appears in 1568 (Campbell, *op. cit.*, p. 324).

The auth of fidelite . . . as is requirit be the law of the forme of fidelite of few: The oath was that taken by a vassal to his superior and mention of it is rare. It is noticed in Craig, *Jus Feudale*, in the Book of the Feus, 2. 5 (Stair Soc. edn., ii. 1102); cf. *APS.*, i. 683. The chapter cited has not been traced.

Androw kinlocht in luthre: More than one man of this name appears in North Fife in the first half of the sixteenth century. Andrew Kinloch of Luthrie is a party to an action, 15 Nov., 1519 (*SCB. Fife*, p. 164), and has a tack of the mill of Luthrie, 20 Jan., 1527/8 (*RMS.*, iii. 538). He is mentioned as formerly chamberlain of Fife and infeft in the mill of Luthrie, 8 Aug., 1530 (*Exch. Rolls*, xvi. pp. 8, 9), and has a letter of regress of the fourth part of the lands of Luthrie, 28 Aug., 1530 (*RSS.*, ii. 2149). Kinloch was deceased *a.* 27 March, 1539 (*RMS.*, iii. 538). His daughter, Elizabeth, is mentioned, 28 Aug., 1536 (*RSS.*, ii. 2148).

Alexander auchinlek : A man of this name ' in Newbigging ' appears as a member of assises regarding lands in Angus, 22 Oct., 1533 and 26 Feb., 1536/7 (*RMS.*, iii. 1326, 1916), but there is nothing to connect him with Balmerino.

Of the remaining witnesses, three can be identified, viz. :

Paule stirk : One of the Starks of Ballindean. See Campbell, *Balmerino*, p. 533 *sqq.*

Dauid boitour : Appears as a tenant of Balmerino abbey, 22 June, 1518 (*SCB. Fife*, p. 103).

Schir Alexander Car notar : Appears as a chaplain, 22 Dec., 1526 (*RMS.*, iii. 435), and as a notary, 12 April, 1527 (*ibid.*, iii. 447), and is found, 19 Nov., 1555 (*Balmorinach*, p. 68). Campbell speaks of him as at Balmerino in 1562 (*Balmerino*, p. 215 ; cf. pp. 249, 322).

CHARTER OF SCONE ABBEY

May, 1237.

Amicabilis Composicio siue perambulacio inter Abbatem et Conuentum de Scona et dauid de haya militem de Donerdy Inferiore.

Anno gracie m^{o}cc^{mo}xxxvii^{mo} mense mayo Cum mota esset controuersia inter Abbatem et Conuentum de Scona ex una parte Et dominum Dauid de Haya ex altera super quibusdam secundis decimis de terris domini Dauid de haya In cars de Gouerin quas ipsi Abbas et Conuentus de Scona coram Iudicibus delegatis petebant Et super quodam marisco quod Iacet inter terram predicti (*rectius* predictorum) Abbatis et Conuentus que vocatur Drundyn de sublebra et terram dicti Dauid de Haya que est ex opposito in carso de gouerin Facta est hec Amicabilis composicio dc consensu domini Abbatis et Conuentus de Scona et domini Dauid de Haya et heredum suorum viz. quod predicti Abbas et Conuentus predictas decimas petitas predicto Dauid et heredibus suis imperpetuum quietas clamauerunt Et mariscum predictum inter se diuiserunt secundum fossatum quod per visum proborum hominum per mariscum predictum protensum est Preterea conuenit inter predictas partes quod de cetero de predictis diuisis predictarum terrarum nullam mouebunt questionem Set utraque pars alteram consiliis et auxiliis fidelem se ex-

hibebit Et ad hoc fideliter obseruanda utraque pars in manu Galfridi Dunkeldensis Episcopi fidem dederunt Et ad perpetuam huius composicionis firmitatem Sigillum predicti Episcopi vna cum Sigillis Iudicum delegatorum et partium huic scripto sunt appensa Hiis testibus Domino G. Episcopo Dunkeld . Abbate de Cupro . Domino Johanne de Haya . domino Andrea persona de Innchetor domino Henrico de Abernyt Johanne de Cambroun Patricio de Abirnethy Malcolmo de haya Radulpho de kynard et multis aliis.

Moray MS. (Transumpt), f. 1.

Agreement in settlement of a controversy between the abbot and convent of Scone and Sir David de Hay regarding certain second teinds of the latter's lands in the Carse of Gowrie which Scone sought and a certain marsh lying between Scone's land called Durdie and Hay's land opposite it in the Carse, whereby Scone has quitclaimed the small teinds to David and his heirs and the parties have divided the marsh between them by a ditch.

This charter does not appear in *Liber de Scon.*

The place called Donerdy Inferior or Drundyn is Nether Durdie, in the parish of Kilspindie. *Scon* does not indicate how it came into the hands of the abbey and it is not mentioned among the abbey's possessions until 20 June, 1452 (*ibid.*, 215), when it appears as Durdy Inglis ; that this was its alternative name is shown in the later reference to ' Durdy Inglis alias Nether Durdy ' (*ibid.*, p. 225). I am indebted to Mr. James Young for the suggestion that ' Drundyn de sublebra ' may be taken to mean ' Durdie under the brae.'

The persons mentioned in the charter are mainly the subject of notes in *Coupar Angus*, i. The abbot of Coupar who appears among the witnesses was evidently Alexander. Patrick de Abernethy is annotated, p. 10 *supra.* Ralph de Kinnaird has not been found elsewhere.

CHARTER OF INCHCOLM ABBEY

27 October, 1480.

(Abstract.)

Charter by Michael, abbot of Inchcolm, to James, earl of Morton, of the lower mill of Abirdore, in recompense for a gift

of the lands of Brego and on account of the renunciation of the moor, common and pasture of Bochlevy, reserving to the abbot annualrents of the lands of Collestoun, Cullello and Baulmakmulis. Dated at Inchcolm on the vigil of SS. Simon and Jude, 1480. Witnesses: Patrick Young, chanter of Dunkeld; Mr. David Coldan and Sir Thomas Huntar, canons of Dunkeld; William Broun, laird of Collestoun; Andrew Mobra, burgess of Edinburgh; Andrew de Cardnie and Thomas Tourys, esquires.

Two seals attached.

Morton Charters, No. 190.

Michael, abbot of Inchcolm: Michael Harwar, abbot from 1460 to at least 1480. See *Inchcolm*, p. 240. This is the only reference to him in an Inchcolm charter.

James, earl of Morton: First earl of Morton; raised to the peerage with that title, 17 March, 1457/8; died *a.* 22 Oct., 1493 (*Scots Peerage*, vi. pp. 354-5).

The places mentioned are all in the parish of Aberdour. See *Inchcolm, passim.*

Patrick Young, chanter of Dunkeld: Witnesses a charter of James, bishop of Dunkeld, 10 Oct., 1477 (*Reg. S. Egid.*, 87). As precentor of Dunkeld, he founds, 26 March, 1478, a chantry in the parish church of Linlithgow, for the soul of master Patrick Young, with the consent of his brother, master John Young, provost of Methven (*RMS.*, ii. 205). This charter was confirmed, 5 July, 1491, by which date he was deceased.

Mr. David Coldan (canon of Dunkeld): As notary and canon of Dunkeld, appears (with the former witness), 10 Oct., 1477 (*Reg. S. Egid.*, 87). He witnesses, undesigned, another St. Giles' charter, 13 March, 1480/1 (*RMS.*, ii. 1469).

Sir Thomas Huntar (canon of Dunkeld): As vicar of Moulin, witnesses a charter of James, bishop of Dunkeld, 10 Oct., 1477 (*Reg. S. Egid.*, 87). He appears as canon of Dunkeld, 31 Jan., 1493/4 (*RMS.*, ii. 2354).

William Broun, laird of Collestoun: Grants to his son, William, the lands of Otterston, 2 Aug., 1486 (*RMS.*, ii. 1662). See *Inchcolm*, pp. 192-3.

Andrew Mobra, burgess of Edinburgh: Founder of a chaplainry at St. Ninian's altar in St. Giles', 3 July, 1478 (*RMS.*, ii. 1400=*Reg. S. Egid.*, 93); and makes other donations to this altar, 19 Dec., 1492 (*RMS.*, ii. 2120=*Reg. S. Egid.*, 106). He died between the latter date and 11 Sept., 1499, when he

is mentioned as founder of chaplainries (*RSS.*, i. 416). His wife, Elizabeth, appears (*Reg. S. Egid.*, 93, 106).

Andrew de Cardnie : Appears as son and heir of Duncan de Cardnie of Foss, 29 Nov., 1474 (*RMS.*, ii. 1190, 1555), and as of Foss, making a grant to his son, William, 20 July, 1503 (*ibid.*, ii. 2756).

Thomas Tourys : Witnesses a charter of sale by Sir Thomas Greg, vicar of Auchtergaven, to George, bishop of Dunkeld, 18 Aug., 1488 (*ibid.*, ii. 2017).

A LETTER OF JAMES III
TO THE
DUKE OF BURGUNDY

Edited by

C. A. J. ARMSTRONG

INTRODUCTION

An original letter of James III. to Charles duke of Burgundy exists at Lille (France) in the Archives du Département du Nord, under reference B 864/23827, bound in the 3e Registre aux Lettres missives. Save for the king's signature the document is wholly in Latin, the text occupying 43 lines, each roughly 9 inches long, on a sheet of paper slightly irregular in outline measuring 18 inches by 13½ inches. The paper, which is of average quality for that used in official correspondence, has no watermark visible; but, since the letter was written, it has been cut down with the result that the top of a flourish belonging to the initial J has disappeared. The edge has been cropped almost up to the end of the lines on the right side, and although there is a more extensive margin on the left a stroke of the same initial has also been mutilated on this side. Consequently, although the creases by which the paper was originally folded are plainly visible, it is scarcely possible to reconstruct the number and sequence of these creases by which the letter was folded up for despatch. The writing is in an official hand, with few contractions, having an easy flowing character. The individual letters are simplified sloping forms of the so-called 'lettres bâtardes,' commonly found on the Continent at that time; but despite their clarity they reveal no trace of the Italian cursive, and appear, to an eye more accustomed to English than to Scottish hands of the period, more reminiscent of French than of contemporary English handwriting. The

initial J and three other letters of the top line are enriched with strokes forming a pattern of straps or lattice work in a style prevalent in England, and elsewhere, for ornamenting official documents. Apart from one sizeable hole and a few minor ones, where the paper has perished at the intersection of the creases, the document is perfectly preserved.

The Boyds, to whom the letter relates, are well known. The seizure of the young James III. in July 1466 by the brothers Robert lord Boyd and Sir Alexander, with Thomas, son of the former, subsequently created earl of Arran ; their enjoyment of power for a brief three years ; their condemnation as traitors in November 1469, and the escape abroad of Robert and Thomas, are events needing no repetition here.[1] The king's purpose in writing was : to decline the request of Charles duke of Burgundy, who through Anselm Adorne,[2] his ambassador, had asked that the Boyds should be pardoned ; to induce Charles to cease protecting the Boyds, but acknowledge his kindness to Mary, the king's sister and wife of Thomas Boyd, with

[1] For the Boyds, *Scots Peerage* (1908), v. 142-8, and their genealogy, Seymour Clarke, *Boyds of Penkill and Trochrig* (Edinburgh, 1909), pp. 6-11, 36.

For the events, P. Hume Brown, *History of Scotland* (1911), i. 208, and the older historians, George Buchanan, *Rerum Scoticarum Historia* (Edinburgh, 1572), ff. 134r-6r ; Hector Boece, continued by J. Ferrerius Pedemontanus, *Scotorum Historiae, lib. XIX* (Paris, 1574), ff. 386v-7r, 388v ; John Lesley, *De Origine . . . Rebus Gestis Scotorum, lib. X* (Rome, 1578), pp. 315-16 ; William Drummond, *History of the Five James's* (Edinburgh, 1711), pp. 43-5.

[2] Baron de St. Génois, *Voyageurs Belges* (Brussels, 1847), and in *Biographie Nationale* (1866), i. 30-2. Édmond de la Coste, *Anselme Adournes* (Brussels, 1855). *Anselme Adornes, voyageur brugeois* (signed L. St.), in *Messager des Sciences Historiques* (Ghent, 1881), pp. 1-43. This article used the papers of Adorne and corrected the errors of St. Génois and de la Coste, but is overlooked in *Dictionnaire de Biographie Française* (1929), i. 632-3. I was informed in 1938 by M. Armand Grunzweig, archivist at the Archives Générales in Brussels, who kindly assisted me with the bibliography of Adorne, that his papers were then in the possession of the representatives of the Adorne family and might shortly be published.

whom she went into exile ; to commend Anselm Adorne. This letter of James III. is dated from Holyrood on 14 February but (perhaps because it was a private and not an official communication) omitting the year.[1] The earliest possible date, on account of a reference to the attainder of the Boyds on 22 November 1469, would be 14 February 1470, and the latest that could be seriously considered the same in 1472.

During the Boyds' term of power Adorne had won the confidence of James III. when, on a trade mission for his native town of Bruges, he came to Scotland in the autumn of 1468 to negotiate for the return of Scottish merchants to Bruges, which they had abandoned in exasperation at the tolls.[2] With letters of the duke to protect him, but not as the envoy of Burgundy, he reached Scotland through England, and obtained from Edward IV. a safe conduct (10 October 1468) for a pilgrimage to the Holy Sepulchre.[3] His success with James III. was such that the king knighted him, and under a privy seal dated Edinburgh, 15 January 1468/9, named him a royal councillor.[4] To pursue the negotiations a Scottish mission was sent to Flanders, where, assisted by Adorne, who was paid by Bruges, it waited on the duke of Burgundy from 8 to 16 May 1469, and was entertained at Bruges on 3 June.[5] Recording the presence of Adorne at this entertainment, the accounts of Bruges refer to him as the lord of Corthuy,

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[1] Also without year the letter (after 10 June 1472) of James III. to Adorne printed by L. St. in *Messager des Sciences Historiques* (1881), pp. 16-17. This article will from now on be cited as *L. St.*

[2] *A.P.S.*, ii. 87 (6). L. Gilliodts van Severen, *Inventaire des Archives de Bruges* (Bruges, 1871-8), vi. 25.

[3] *Ibid.*, vi. 26. *Cal. Pat. Rolls, 1467-77*, p. 97 ; *L. St.*, p. 10.

[4] Printed *L. St.*, pp. 10-11. For rewards received by him in Scotland see W. H. Finlayson, 'The Boyds in Bruges,' *Scottish Historical Review*, xxviii. p. 195.

[5] L. Gilliodts van Severen, *op. cit.*, vi. 28. H. Vander Linden, *Itinéraires de Charles duc de Bourgogne* (Commission Royale d'Histoire, 1936), p. 16.

a form of the Scottish barony of Cortachy in Angus. He was not given this style when named a councillor in January 1469, although in 1472, and after, it is accorded to Adorne in Scottish official documents.[1] The possibility, therefore, that the title was inserted into the Bruges accounts later than 3 June 1469 should not be disregarded.

In the autumn of 1469 Adorne had to return to Scotland with a letter from Bruges, dated 7 September, asking James to send a representative with full powers to conclude.[2] In the meanwhile the overthrow of the Boyds, though no doubt prepared in advance, had been brought about with suddenness; and in July 1469, shortly after the king's marriage, Thomas earl of Arran, with his wife Mary, the sister of James III., had to flee abroad. His father, Robert lord Boyd, must have left Scotland before or about the same time. Now, if the letter of James III. to the duke of Burgundy is to be dated either 14 February 1470 or 1471, Adorne, who was engaged on a pilgrimage from early 1470 until April 1471, must have presented the duke's letter asking James to pardon the Boyds at some time between September 1469 and the end of the year. Moreover, when Adorne interceded for the Boyds, he must have been the duke's ambassador, and not merely the envoy of Bruges possessing a safe conduct from the duke, since the king writing to Charles of Burgundy calls Adorne *vester ambassator*, and refers to his credence, which was the criterion of an envoy's status.[3] To demonstrate satisfactorily that in the autumn of 1469 Adorne went to Scotland as a ducal ambassador (besides being the envoy of Bruges) is not easy, though admittedly after the stay

[1] L. Gilliodts van Severen, *loc. cit.* Corthuy is the form used by the Burgundian chancery in 1474 (*L. St.*, p. 41). See *infra*, p. 27, n. 3.

[2] *L. St.*, p. 13.

[3] For this and following Latin quotations see the letter printed below.

of Scottish representatives at his court in May 1469. Charles might very well accredit an ambassador to James in the following autumn. But a nineteenth-century scholar attributed to this mission of late 1469 a long speech, decidedly political in character, preserved among the papers of Adorne, and delivered before James in the name of the duke of Burgundy.[1] Two other questions are also hard to answer: precisely when did the Boyds arrive in the Netherlands, and, what should induce the duke of Burgundy to intervene so soon and urgently on their behalf?[2] Whether or not Adorne was in Scotland when the Boyds were attainted on 22 November 1469,[3] he left shortly after, as he had to return home to settle matters with Bruges and procure letters of recommendation from the duke of Burgundy on whose behalf he was to conduct personal discussions with the Italian princes.[4]

These preparations were made for his departure on 19 February 1470 on a pilgrimage to the Holy Sepulchre,[5] a pilgrimage in which he had interested not only Edward IV. but also James III., to whom the relation of his travels was afterwards dedicated,[6] and who, in a letter of 10 June 1472, indicates that an authority was given to Adorne to

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[1] *L. St.*, p. 13. The costs of the embassy were probably met by Bruges, as M. Grunzweig verified for me that the expenses are not shown in the account of the duke's Argentier for 1469 (in the Archives Générales, Brussels), the official whose accounts normally record expenses on missions abroad.

[2] Unless it be an alliance at sea of Scotland and Denmark against Burgundy alluded to in September 1468, *Calendar of State Papers, Milan*, i. no. 164.

[3] *A.P.S.*, ii. 186-7.

[4] Lille MS. 519, ff. 3-6.

[5] *L. St.*, p. 18. From his grandfather he inherited a devotion to the Holy Places, and to the chapel of the Sepulchre which the family endowed in the Jerusalem Church at Bruges.

[6] *Ibid.*, pp. 17, 23. The Lille MS. 519 described in *Catalogue des MSS. des Bibliothèques Publiques de France, Départements* (1897), xxvi. 398.

represent the Scottish Crown at Rome and even among the Moslems of the East.[1] A knowledge that the trade negotiations with Scotland had reached their penultimate stage probably determined Adorne to start for Jerusalem, and during his absence an agreement was indeed negotiated. A Scottish embassy, led by Sir Alexander Napier, arrived on 11 February 1470 at the court of the duke of Burgundy, with whom it remained almost continuously until an arrangement was agreed at Bruges early in April.[2] On the hypothesis that the letter of James III. should be dated 14 February 1470, we are obliged to suppose that he wrote when his mission was already with the duke of Burgundy, and that for some reason he preferred not to send his letter with his representatives, the existence of whom is not so much as hinted at in the contents. Such a situation is not impossible, the king may have had his own views about his envoys, and private correspondence between princes was often carried by pursuivants. In addition to these slightly unusual circumstances, a verbal question in the letter itself throws some doubt on its ascription to the year 1470. Recalling Burgundy's diplomatic intervention in favour of the Boyds, James declares : *vestre serenitatis litteras Anselmus Adournez vester . . . ambassator nobis jamdudum attulerat.*[3] Normally the word *jamdudum*, implying a certain lapse of time, might be translated as *a long time ago* ; and in this sense it is used in the same letter, when Bishop Kennedy, who died in 1465, is spoken of as *jamdudum vita functus*. While admitting that *jamdudum* is a relative term, that could convey the sense of *previously*, it seems rather unrealistic if employed in February 1470 for the death of Kennedy

[1] L. Gilliodts van Severen, *op. cit.*, vi. 43 n.

[2] H. Vander Linden, *op. cit.*, pp. 22-3 ; L. Gilliodts van Severen, *op. cit.*, vi. 36-43.

[3] See the letter below.

in 1465 and for the mission of Adorne in late 1469. Accordingly, if the year 1470 cannot be excluded as a possible date, there are some objections to it.

For preferring the year 1471 there is this to be said, that before the year was out Charles of Burgundy had gone so far towards satisfying James III. as to provide for the return of Mary to Scotland, and for the removal of the Boyds from the Netherlands. Furthermore, there would not be the same objection to the use of *jamdudum* if the letter belongs to 1471. By February 1471 the death of Bishop Kennedy in 1465 and the mission of Adorne late in 1469 were both sufficiently remote to be termed *long ago* without undue disparity. The unmistakably querulous tone in which Charles is adjured to cease henceforth from protecting the exiled Boyds would certainly be more compatible with a letter sent in 1471 rather than in 1470. From among the papers of the Adorne family, an undated memorial relating to Anselm has been printed. Translated from the French it runs as follows: 'a certain time after his return from the journey to Persia, this Anselm was sent by the Duke Charles as an ambassador to the king of Scotland, who made him a member of his council, gave him the order of the Unicorn, and granted him the barony of Corthuy, in recognition of his hospitality and services to the sister of the king. And at the request of the king his sister was honourably returned to Scotland by the Duke Charles, and was conducted to her brother the king by this Anselm.'[1] The notice is not wholly accurate, for instance his return from an abortive journey to Persia in 1474[2] is confused with his return to Bruges on 18 April 1471 from the Holy Land[3]; but although the

[1] Printed *L. St.*, p. 21.

[2] *Ibid.*, p. 25.

[3] *Catalogue des MSS. des Bibliothèques Publiques de France, Départements*, xxvi. 398.

honours which he secured in Scotland are condensed indiscriminately, the remarks relating to the return of Mary are susceptible of some confirmation. On 25 July 1471 the duke issued a safe conduct to Adorne for the purpose of conveying Mary to Scotland; it was to last six months, and to cover 100 persons on the outward, and 20 on the inward journey.[1] That the Boyds were not intended to come back may be deduced from the diminished number included in the safe conduct for the return. They embarked at Calais on 4 October 1471[2]; and although there is no trace of an English safe conduct on the French, Scottish, or Patent Rolls for the year 11 Edward IV., Adorne clearly succeeded in getting Mary back to Scotland, but failed to win pardon for the Boyds. The letter, which, it seems, the duke of Burgundy entrusted to him for delivery to Edward IV.,[3] doubtless recommended them; but as Scottish refugees were traditionally welcome, on political grounds, in England, and seeing that Lord Boyd had drawn a pension from Edward IV. in 1468,[4] it is not surprising to find Arran lodging in London in June 1472,[5] and Boyd again an English pensioner by Michaelmas 1472.[6] By the autumn of 1472 Mary was in receipt of royal revenues in Scotland, and presumably therefore removed from Arran her first

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[1] *L. St.*, pp. 22-3, where partly printed.

[2] *Ibid.*, p. 23, but without reference.

[3] W. H. Finlayson, 'The Boyds in Bruges,' *Scottish Historical Review*, xxviii. p. 196, for further details.

[4] *Calendar of Documents relating to Scotland*, iv., no. 1379.

[5] *Paston Letters*, ed. James Gairdner (1904), v. 144, 147. In *Scots Peerage* (1908), v. 148, a date previous to the fall of the Boyds is suggested in preference to 1472 for this letter. The chronology of the Paston letters indicates 1472, and the remarks about Arran's faithfulness to his wife would fit a period after their enforced separation.

[6] *Cal. Pat. Rolls, 1467-77*, p. 466. To the references to Lord Boyd thereafter in English service given in *Scots Peerage* (1908), v. 144-5, may be added P. Barnard, *Edward IV.'s French Expedition of 1475* (1925), pp. 41-2.

husband and reconciled for a time to James III.[1] His grants to Adorne in 1472 also furnish grounds for believing that shortly before she had been handed over to him by the representative of the duke of Burgundy. In return for faithful service, James, on 18 April 1472, granted to Anselm Adorne de Cortoquhy, king's knight, lands formerly held by Lord Boyd [2]; and on 10 June the office of keeper of the privileges of the Scottish merchants at Bruges was granted to him, described as Adournes de Cortowy, knight.[3]

There remains to consider the possibility that the letter should be dated 14 February 1472, and that James was rejecting an appeal on behalf of the Boyds lodged by the duke through his ambassador either in late 1469 or more recently at the time of restoring Mary to her brother. In either case, it is improbable that in 1472 James should have thanked the duke with formal rhetoric, omitting to acknowledge his part in returning Mary, and yet bidding him, not without petulance, abandon the Boyds. In the light of events between 1469 and 1472, the most acceptable date for the letter would be 14 February 1471, and then with diminishing probability the corresponding date in 1470 or 1472. C. A. J. A.

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[1] *Exchequer Rolls of Scotland, 1470-9*, pp. li., 174.

[2] *Registrum Magni Sigilli Regum Scotiae, 1424-1513*, no. 1060, 'familiari militi.'

[3] *Supra*, p. 22, n. 1. For Adorne and Scotland, 1473-83, see *R.M.S., 1424-1513*, nos. 1123, 1234, 1548; *Exchequer Rolls, 1470-9*, p. 512, and *Ibid.* (*1480-7*), pp. 105, 400, 466; *L. St.*, pp. 16-17, and the apparently contemporary report (in Flemish) of his death in Scotland, 20 February 1483, and events leading up to it, where he is called the ambassador of Mary duchess of Burgundy (*ob.* 1482) to James III., *Ibid.*, pp. 38-42.

LETTER OF JAMES III TO THE DUKE OF BURGUNDY

Jacobus dei gracia Rex Scotorum Excellenti Magnifico potentique Principi Clarissimo duci Burgundie Consanguineo [1] et Confederato [2] nostro Amantissimo honoris et glorie felicissima incrementa tenerimam dileccionem plurimamque Salutem. Clarissime princeps et consanguinee Amantissime vestre serenitatis litteras Anselmus Adournez vester conciliarius [3] et Ambassator nobis jamdudum attulerat ex quibus et credencia summatim per eundem accuratissime pronunciata intelleximus vestram cupere et optare serenitatem ut Roberto Boide et Thome suo filio sceleris delicti et facinoris in nostram personam commissi gracie veniam quoniam penitent faceremus. Hic enim vester conciliarius ita ei iniunctam a vestra serenitate legacionem assecutus est ut a vobis ingentem laudem et retribucionis premium mereatur. Condignam enim clarissime princeps et Consanguinee Amantissime vestre serenitati pro beneficiis et honoribus nostre suavissime sorori [4] impensis graciam eidem referre nostre nequaquam potestatis existit maiores tamen quas habeimus lete tribuimus quas a nostra mente nulla eciam longi temporis delebit oblivio nec tanti uncquam abolescet gloria facti.[5] Reliquum est clarissime princeps ut unde se divertit oracio eo

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[1] James III. was a first cousin twice removed of Charles duke of Burgundy, whose paternal aunt Mary was James's maternal great-grandmother.

[2] The allies of a prince were officially declared by the list of his friends attached to treaties. James was included among Burgundian allies in the treaties which the dukes concluded with other parties, e.g. 1465, *Mém. de Ph. de Commynes*, ed. Lenglet du Fresnoy (1747), ii. 496, and 1473, *Foedera*, xi. 754.

[3] Described as a councillor of the duke in the safe conduct of Edward IV., 10 October 1468; see *supra*, p. 21, n. 3.

[4] Mary.

[5] Perhaps a reminiscence of *Æneid*, vii. 232 : ' tantique abolescet gratia facti.'

redeat et ad contenta respondeat. Temporibus enim nostri clarissimi prog⟨enitoris ob m⟩utacionem variarum sue persone translacionum et maximorum scelerum que sua minore etate contigerant de ⟨expre⟩sso statuum regni consensu decretum fuerat et uniformiter deliberatum juxta vim civilis sanctionis lese maies⟨tatis et⟩ perduellionis summum et irremissibile crimen esse si qui in personam regiam manus inicerent aut ipsum citra p⟨arlia⟩menti deliberacionem abducerent.[1] Ipsoque nostro progenitore pro sui populi et rei publice salute in equissima et sanctissima causa infra suum regnum solo pro tota gente animam exalante omnium conditor deus de sua ingenti misericordia non humano subsidio verum pocius celesti munere nobis donavit de hoste triumphum et castra in confinibus regni nostri sita que Anglorum immanitas tricentis subiecta tenuerat annis nostre dicioni et potestati reduximus.[2] Hocque facto in primo nostro tento parliamento nostri regni status predictum actum eorum consensu autorizarunt et uniformi voto omnium confirmarunt et tutelam nostre persone nostre suavissimc matri tunc superstiti et sui concilii dominis commiserant [3] qua nature concedcnte [4] Sanctiandree episcopus jamdudum vita functus nostre persone tutelam pariformiter statuum consensu nactus est [5] cuius prudencia et aliorum nostri concilii dominorum in nostro regno justicia floruit hostes et rebellcs fusi et profugati multi eciam neci traditi sunt.[6] Actum autem huius-

[1] *A.P.S.*, ii. 36 (12).

[2] James II. was killed 3 August 1460 at the siege of Roxburgh, which surrendered to the Scots two days later. On 25 April 1461 Berwick was given up to them by Henry VI. and Queen Margaret. Neither castle had been held continuously by the English since the reign of Edward I.

[3] *Auchinleck Chronicle*, Edinburgh (1877), p. 59.

[4] Mary of Guelders, widow of James II., died 1 December 1463.

[5] According to a news letter from Boulogne, 15 July 1463, addressed to Anthony de Croy (Jean de Wavrin, *Anchiennes Cronicques d'Angleterre*, ed. Mlle Dupont, Soc. Hist. de France, 1863, iii. 162-3), the care of James III. was then in dispute between Mary of Guelders and James Kennedy bishop of St. Andrews, the partisans of the former having removed the king from the custody of the bishop and the estates.

[6] See the memorandum of the bishop of St. Andrews (*ibid.*, iii. 173), undated, but ascribed by Mlle Dupont to 'shortly after 15 July 1463,' and J. Pinkerton, *Hist. of Scotland* (1797), i., app. xxi., 502.

modi et regni statuum deliberacionem dicti Robertus et Thomas non veriti cum pro nostra jocunditate cum paucis admodum familiaribus et servis venatum ivissemus cum eorum satilitibus magno numero armatis in nostram personam et in nostros famuliares nequiter irruerant et nos flentes et factum ⟨lam⟩entantes invitos quo eis libuit abduxerant et sibi ipsis totam regni nostri gubernacionem sine nostra et statuum deliberacione vendicarunt [1] quam questui et muneribus in justicie perversionem exposuerant. Et primo facinore nephandissimo non contenti sororem nostram vestramque consanguineam quam multi principes matrimonio petebant [2] cum eodem Thoma nobis non consentientibus licet matrimonii tempore lacrimas emisissemus nubere non expaverant. Nos vero huius rei vindictam in aliud tempus distulimus nec licuit illatam in nostri sanguinis iniuriam factis aut verbis deplorare ne nostre fecissent vite et sospitati insidias et unico motu nos et nostros fratres [3] quos omnes in eorum custodia habuerunt sustulissent. Putamus ob id clarissime princeps et consanguinee Amantissime si huiusmodi facinora vobis ab origine cognita fuissent nobis vestre serenitatis favorabilia pro eisdem scripta minime supervenisse nec eisdem infra vestra dominia tutus patuisset accessus. Cum unus eorumdem complicum qui facto interfuerat Alexander Boide miles confiscata hereditate et erario nostro applicata tanti facinoris morte penas persolvit. Super vero dictis Roberto et Thoma uniformi parliamenti nostri voto velut super lese maiestatis et perduellionis crimine reis vite amissionis hercditatis et bonorum confiscacionis lata est et promulgata sentencia [4] que pro veritate servanda censetur. Nec de jure videtur regni sentenciam in parlia-

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[1] A contract, subscribed to by James III., dated Stirling, 25 April 1468, for upholding Lord Boyd's rule until the king's majority, is in *Miscellany of the Abbotsford Club*, i. (1837), 5-7.

[2] Edward prince of Wales, son of Henry VI., about January 1461, *Auchinleck Chronicle*, p. 58.

[3] Alexander duke of Albany, heir presumptive, and John earl of Mar.

[4] *A.P.S.*, ii. 186-7.

mento latam quovispacto posse rescindi.[1] Precamur ob id clarissime princeps ne eisdem proditoribus qui tam gravia facinora commiserant nostramque carissimam sororem provincias diversas in nostri sanguinis et nominis degradacionem peragrare fecerant vestre in antea serenitatis favor accedat.[2] In quo nostro honori prospicientes rem nostre g⟨r⟩ati⟨ssi⟩mam impendetis voluntati. Vestram serenitatem et consanguinitatem Amantissimam pro voto conservet qui illam tot claris dominiis preesse voluit deus gloriosus. Ex Monasterio nostro Sanctecrucis xiiii^to^ Februarii.

(Signed) JAMES R.S.

On the dorse. Excellenti magnifico potentique principi Clarissimo duci Burgundie consanguineo et confederato nostro Carissimo. (*Traces of red wax.*)

(*Summary*)

King James III., greeting the duke [Charles] of Burgundy as a kinsman and ally, reminds him that Anselm Adorne, the duke's councillor and ambassador, who deserved reward for his diplomatic skill, long ago presented a letter and credence from the duke asking that the now contrite Robert [Lord Boyd] and Thomas Boyd [earl of Arran] might be pardoned their treason committed against the king's person. Declaring that the memorable courtesy shown to his sister [Mary] by the duke could scarcely be acknowledged adequately, he recalls that in his father's day the Estates, considering the outrages during that king's minority, enacted that seizing the king without parliamentary approval was treason. Though his father lost his life in his country's cause, providence restored to the realm border castles held by the English for three centuries. Confirming the earlier enactment, in the first parliament of James's own reign the Estates unanimously conferred his wardship upon his mother and the lords of her council,

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[1] In October 1466 Lord Boyd had secured royal and parliamentary approval for his action in seizing the king's person, *ibid.*, ii. 185.

[2] In 1465 Charles, while his father Philip duke of Burgundy was alive, proposed to a Scottish embassy reciprocal measures for withholding asylum or assistance from their respective enemies and rebels, *Mém. de Ph. de Commynes* (1747), ii. 461.

and, after her decease, upon the now long dead bishop of St. Andrews and the lords of the royal council, under whom justice flourished while rebels fled or suffered. Defying the law and the Estates, Robert and Thomas had dared with a large armed band to fall upon him when, scantily attended, he was enjoying the chase. They carried him away whither they pleased despite his tears, and without consulting him or the Estates governed the kingdom by themselves, and, moreover, corruptly. His sister, whose hand was sought by many princes, they married to Thomas, although he wept at the wedding. Unable to protest at the insult to his house, he had to defer revenge, lest he and his brothers, who were alike in their grasp, should be destroyed together. Had the duke known their crimes, doubtless he would neither have intervened on their behalf nor admitted them to his territory, for one of their accomplices, Sir Alexander Boyd, had suffered execution and forfeiture, while a parliamentary sentence of death and confiscation was passed on Robert and Thomas. The judgment of the realm given in parliament could not lawfully be repealed, and therefore the duke ought no longer to favour traitors, who to the king's dishonour had brought his sister to exile in many foreign lands. May God, by whose will the duke rules so widely, preserve him. From Holyrood, 14 February.

(Signed) James R.S.

THE ENGLISH ARMY AT FLODDEN

Edited by

J. D. MACKIE, C.B.E., LL.D.

INTRODUCTION

The Scottish Defeat—Explanations and Extenuations

THE size and strength of the English army at Flodden have been much discussed—more in Scotland than in England, for Scotsmen have always felt that there was something to explain away. It was recognised that the King of Scots, though his policy was not approved by all his subjects, crossed the Border with almost the whole of his country's military power at a time when the main English army was in France with Henry VIII., and it was hard for a race, proud of its martial achievements, to account for the defeat at Brankston. There has always been an uneasy feeling that the national army of Scotland, in full battle array, was defeated by a much smaller force hastily collected from the northern shires of England.

Owing no doubt to the mortality amongst the King's officers and servants, the Scottish records were in some confusion in the period following the battle, and the first Scottish version of the disaster is that contained in the letter sent in the name of the infant James V. to his father's cousin, Christian II. of Denmark, on 16th January 1514.[1] In that version appear some excuses which were elaborated as the years went on. After justifying the invasion—on quite good grounds [2]—the infant author goes on to explain that the Scottish army, rather carelessly handled, had dwindled away. Desertions had occurred on account of

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[1] *Epistolae Regum Scotorum*, ed. Ruddiman, 1722-24, i. 186.

[2] 'Henry VIII. and Scotland,' *Trans. Royal Historical Society*, 1947, 93.

military inexperience, disease and bad weather, but the King had remained upon hostile soil with the peers of the realm and a band of nobles awaiting a pitched battle. The English, however, *dolis intenti*, failed to appear at the hour and place on the appointed day but showed themselves towards evening in a ' strait and marshy ' position. *Quos in conspectu ferre pater nobis charissimus impatiens* descended upon the enemy over bad ground and in bad order, himself at the head of his men. By his rashness he lost himself, many of his nobles, his guns and his baggage; the English lost far more men, but, as their leaders kept in the rear, they lost only commoners.

The explanations here presented were adopted and embroidered by the classical historians. Pitscottie, Leslie and Buchanan all tell the same story with slight variations which reflect the predilections of each writer, and this story, graced by the pens of Jane Elliot and Walter Scott, has become part of our national tradition. Modern research has swept away much of the picturesque. It seems that the borderers fared rather better than most of the combatants, and it is even doubted if there ever was a desperate ring which stood about the slain monarch. Pitscottie's story that James gallantly refused to allow his gunners to fire upon the English ' than passand ower the brig of Till ' [1] must be dismissed because Twizel Bridge, five miles distant, was out of range and probably out of sight from Flodden Edge; the suggestion that the bridge in question may have been the bridge at Ford is unacceptable because the English did not cross there.[2] The influence of that

[1] Scottish Text Society edition, i. 270.

[2] *The Trewe Encountre* (in John Skelton's *Ballade of the Scottysshe Kynge*, ed. John Ashton (1882), 62. Cf. *Letters and Papers*, I, ii. 1006) says nothing of the crossing. The *Articles of the Bataill* (*Letters and Papers of Henry VIII.*, I, ii. 1005) (cf. *Gazette of the Battle of Flodden* (in French), MS. Heralds' College, London, in Pinkerton's *History of Scotland* (1797), ii. 456) seem to suggest that Surrey followed his son across Twizel Bridge

Delilah of Ford has been discounted; her daughter has been proved a myth; the treachery of Sir Giles Musgrave and the dramatic appearance of the bastard Heron hardly enter into modern versions of the battle.

There remains, however, a possible explanation for the persistent allegation that the English won the day by 'guile.' According to the *Articles of the Bataill*, James had promised to await Surrey until noon of Friday, 9th September; and perhaps the Scottish king, his head full of chivalry and challenges, believed that as Surrey had failed to appear at the appointed hour he had no cause to expect an attack 'after hours.' It may be true that the Scottish army was already on its way home when the English appeared. Battles, however, are not tournaments; and in any case it seems certain that James must have known of Surrey's approach from the north by midday. At all events, he could have known, and if he were surprised by the English manœuvre he was himself to blame. It may be argued that he had, in the end, too little time to prepare for a battle which he had ceased to expect; but if we can excuse Surrey for being four hours late we must believe that the English commander did not cheat James but out-generalled him.

To admit this is not to admit that James's conduct of the whole campaign was faulty; the old story of his rash incompetence must be abandoned. He has been blamed for hanging about near Ford, but his action was, in fact, based upon sound strategy. He could not possibly have

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—*et le Comte son pere se suyvit et passa apres*, but the brevity and haste of this account lead, here as elsewhere, to ambiguity. Hall, in *The Triumphant Reign of King Henry the VIII.* (from his Chronicle, ed. Charles Whibley), says definitely that Surrey crossed by ford at Milford and his statement accords with probability. More than one ford may have been used, but the English could not have tried to cross as high up as the bridge at Ford, and, indeed, it is not likely that they tried to cross even as high up as Etal.

advanced far into England with the border fortresses, especially Berwick, in his rear ; and he could not possibly have formed the siege of Berwick—an extremely strong place—in the face of an approaching English army ; his object was to effect a diversion, and that he did. He has been blamed for accepting battle, but to have hurried away on the mere news of Surrey's approach would have been fatal to his prestige ; after all, if he was to prevent Surrey from ravaging Scotland he would have to give battle somewhere, and he was right in trying to fight in a position which gave him great advantage. He has been blamed for quitting his entrenchment. ' It is melancholy to think that if the Scots, on Flodden side, had sat still, drinking their beer, which the learned bishop highly commends, the force of Surrey, unvictualled, would have melted like a mist.' So wrote Andrew Lang—with less than his usual perspicacity. If James had remained amid the desolate hills of Northumberland, even consoled by abundant beer, Surrey might have entered Scotland unopposed and wasted the rich lands of Lothian. Even when it became apparent that Surrey was not going into Scotland, but was going to attack the Scottish army, James may well have been justified in leaving his camp, if he was still there, when he learned of Surrey's advance. A fortification which was formidable as it frowned down over the plain of Milfield would be much less effective against an attack over the ridges to the north ; and in any case, James could not possibly have left his enemy athwart his communications.

Finally, James has been blamed for descending from the high ground, but it is questionable whether the condemnation is justifiable.

As Wellington remarked about the Prussian dispositions at Ligny, a force inferior in missile weapons is apt to be ' damnably mauled ' if it occupies a forward slope ; the

Scottish guns, if indeed they were all brought into action, were subdued by the English, who may have had some hand-guns too, and the English archery, as always, was supreme. James may have been wise to launch his men, galled by shot which they could not return, upon their enemies; as was said in the eighteenth century, 'even a haggis, God bless her! could charge downhill,' and with the incline to help, a headlong charge might have broken the English ranks. The event was to show that the masses of Scots pikes lost their formation as they came down over the rough ground in silence, 'Almain fashion,' and that, when they lost their cohesion, the long spears were less effective than the bills; but that event could not have been surely foreseen, and James, after all, came within a 'spear's length' from Surrey before he fell.[1]

What is blameable in his conduct of the campaign is that in the end he found himself compelled to give battle in a disadvantageous position. It seems clear that he lost touch with his enemy on the night of the 8th—though the fault must have lain in part with his scouts—that he failed to 'appreciate the situation,' and that he committed his inexperienced and ill-disciplined army to a movement which it could not accomplish in the time at its disposal.

The Movements before the Battle

What happened is this. Surrey, having failed to taunt James into leaving his good position, crossed the Till and marched off north-east, halting on the night of the 8th under the cover of Bar Moor. Next morning he broke camp at 5 o'clock and made a long flank march in two divisions, sending his son, the admiral, over Twizel Bridge with the vanguard and the guns, and crossing himself by a ford or fords, probably near Heton. When the admiral

[1] *Letters and Papers*, I, ii. 1005. The *Articles of the Bataill.*

turned south Surrey brought the main battle up on his left, and father and son made a resolute advance upon the Scottish position from the north. At what point Surrey decided upon this bold stroke is uncertain. It has sometimes been represented that he intended it all along, and this may be true, for he was pledged to fight on the 9th, and though he was hard and practical he was not without chivalry. On the other hand, none of the contemporary authorities (the *Trewe Encountre*, the *Articles of the Bataill* and the account embodied in Hall) mentions his intention to attack until it describes his arrival at Bar Moor. The *Scottish ffielde* certainly alleges that his men, ' clemmed ' and cold, threatened to go home unless they were led immediately to battle; but even if this is not an *ex post facto* boast it is not clear exactly when the bellicose demand was made. Holinshed, writing long after the event it is true, definitely says that Surrey decided on his stroke only after hearing the result of a reconnaissance conducted by his son from the neighbourhood of Bar Moor.

If this be so, it is conceivable that the English decision was to some extent due to the discovery that the Scottish camp was already in some disorder. James certainly supposed that the English army was gone to invade Scotland and he may have begun to prepare for his homeward march along the high ground towards Coldstream. The Scottish host, when the English first beheld it, was in motion in four or five separate battles. If James was indeed on the march when he knew of the English attack, he must have formed his battle-line by facing his army to the right. In favour of this view it may be urged that according to Hall Scottish artillery was in action at the beginning of the battle. If the guns had still been in position on Flodden Edge they could scarcely have been brought into play. They were clumsy things, mounted

on carts drawn by great teams of oxen; as the weather had been wet they were probably embedded in the mud, and there is more than a possibility that the gun-oxen, or some of them, had been eaten by the hungry soldiery.[1]

There is, however, another explanation of the movement and the formation seen by the English as they advanced. James may have waited upon Flodden Edge—his numbers no doubt diminished by desertion—until about noon on Friday, because he wished to keep his bargain with Surrey and because he had to muster somewhere with a view to taking a decision when he found out what exactly his enemy was doing. He must have become aware of the English attack about eleven o'clock, at which hour, according to the *Articles of the Bataill,* Surrey crossed Twizel Bridge, and may have decided, as Hall says he did, to occupy 'an other hyll' (Brankston Edge) in order to deny this point of vantage to his opponent. If this is so, and it seems most probable, it is clear that he did not succeed in completing his dispositions in time. On his left and left-centre his forces seem to have gained the crest of Brankston Edge where their appearance was so formidable that Howard tore the *Agnus Dei* from his breast and sent it to his father in token that the situation was critical; on his right, however, the Highlanders under Lennox and Argyll, whose valour may have exceeded their discipline, did not gain the summit before Stanley and the Lancashire men advancing rapidly across the dead ground behind the slope.

The sudden alteration of the battle front may have been difficult for an untrained army, especially if, in facing about, an attempt was made to keep the Highlanders on the right in their accustomed post of honour; and in any

[1] The English gun-oxen were stolen by their own Borderers, *Letters and Papers,* I, ii. 1005, 1006 and 1021. Hall, however, using Pynson's contemporary tract, is sometimes imaginative.

case, the moving of the guns and of the no less cumbrous 'gun-stanes' must have been an awkward operation. The English accounts make it clear that the Scottish gunfire was not important, and also leave the definite impression that the victors hardly knew that they had captured the guns until the next day.

Whatever be the explanation of James's movements before the engagement took place it is plain that his army was not in the best possible shape when it met the advancing English, and the conclusion seems to be that it was not very well trained.

The performance of the English army, on the other hand, was extremely good. At the end of a long march made in bad weather over sodden roads and broken country it was able to deploy the vanguard into line of battle, to bring up the rest of the army on the left to form a continuous front and to support its assault with guns—some of them no doubt hand-guns—as well as with archery. No doubt in the actual encounter the English owed much to the superiority of the bill over the long pikes once the front of the Scottish masses was disrupted, but the real cause of the English victory was that they brought to the action an army better organised and more efficient than that of the Scots.

The Scottish Mobilisation and the Scottish Army

The contrast between the hosts is noteworthy. The Scottish arrangements for calling out the military power of the country were simple in the extreme. The people were warlike and there was a liability upon every man to defend his country. Ayala and the Italian 'Relator' (who depends upon Ayala) were both impressed by the readiness with which the king could call out his men. The Venetian said he could easily raise fifty to sixty

thousand men who would serve at their own expense for thirty days; the Spaniard alleged that the king could assemble a hundred and twenty thousand men within thirty days and that he himself, though he had only seen one-third of the army gathered, had counted twelve thousand tents both great and small.[1] Both these writers, however, were anxious to magnify Scotland and both were probably exaggerating. It may be remarked in passing that William Patten,[2] who wrote a patronising account of the Scottish host at Pinkie, was very contemptuous of the Scottish tents,—mere canvas sheets stretched over sticks stuck in the ground so roughly that they were very airy indeed 'onles their stiks wear the shorter, or their wives the more liberal to lend them larger naperie.'

The Scottish army, in fact, was medieval. As the king told Ayala, all his subjects were bound to serve with their lives and goods, and he himself could do no less than fight with the foremost. The extent of his power depended upon the willingness of his people to come. His barons undoubtedly owed military service, but there is little evidence of obligation to produce any fixed number of men, and the lords and chiefs probably appeared with what power they could muster. All save the greatest, along with all the commonalty, were expected to appear at the shire-levy for which the sheriff was responsible, and since the days of James I. various statutes [3] had endeavoured to improve the efficiency of the shire-levy by enforcing attendance at 'wappinschaws' which were to

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[1] For Ayala's account see Hume Brown, *Early Travellers in Scotland* (Edinburgh, 1891), 40, and *A Relation of the Island of England* (Camden Soc., 1847).

[2] Printed in Arbour's *English Garner—Tudor Tracts*, ed. A. F. Pollard, 1903.

[3] There is a reference to the *visus armorum quod dicitur wappinschawin bis in anno* in the 'Fragmenta' published in *Acts of the Parliaments of Scotland*, i. 752, and in Vol. ii. there are many references to wappinschaws.

be held four times a year. At these assemblies every man was to produce armour and weapons according to his status. An Act of 1491 made the steward or bailie in the country and the chamberlain or his depute in the burgh responsible for holding wappinschaws four times a year. Efforts were made to ensure that the arms were good and penalties were appointed for non-attendance; but it may well be questioned whether, with the means at his disposal, the king was able to make his machinery effective. In any case, it may be taken as certain that, in a society where the family ties and family pride were strong, many of the king's subjects would suppose that their duty to their own laird was paramount.[1] When, therefore, the monarch determined to call out his power he was likely to obtain at best a conflux of men, hard-handed, no doubt, and some of them at home in the saddle, but ill-trained, ill-organised and dependent for commissariat upon the provisions they brought with them. For this force the royal household, and especially the guns, would make a nucleus. The Scottish artillery was good. Some of it came from France, but since 1508 James had been casting his own guns in Edinburgh and Stirling and his master

[1] The fact that James sent special letters commanding wappinschaws in June 1512 and in January 1513 (*Accounts of the Lord High Treasurer of Scotland* (henceforth *T.A.*), iv. 349, 350, 402), shows that the machinery did not function well, if at all, as a matter of course. From the *Acts of the Lords of Council in Public Affairs* (henceforth *A.D.C.*) and from the edition of Thomas Thomson on the *Old Extent*, published by the Stair Society (1946), may be discovered the efforts made after 1513 to improve the organisation of Scotland's military power. There will be noted (*A.D.C.*, 390-396, s.a. 1532-33) a tendency to trust the 'household is' of the barons rather than the shire-levies, and it is ordained (*A.D.C.*, 172, s.a. 1523) that 'every man of gud that has in cumpany ma men then xx persons, that he mak undir him capitanis of cumpanyis sa that for every xx men thar be ane capitane.' It seems that the government relied more upon the 'landed men' than upon the shire-levies. The slow growth of professionalism may be seen in the hiring of 'wageouris' (*A.D.C.*, 391) and in the tendency to accept money in lieu of personal service.

gunner, Sir Robert Borthwick, had a good reputation.[1] James was interested in men as well as guns and his little corps of gunners and pioneers seems to have been efficient, but his train depended for transport on great teams of oxen, sometimes commandeered from the shires through which the army was to march. His artillery can never have been very mobile and the longer the campaign lasted the less mobile it was likely to become. Hungry and unpaid troops must have found the gun-teams a great temptation.

When, therefore, about mid-August, James decided to invade England he had at his disposal a military machine which was for the most part old-fashioned.

It is a common belief that the Scottish king summoned his people to arms by sending round the fiery cross. From the *Acts of the Lords of Council*[2] there is an excellent description of the raising of the army in September 1523, in which there is mentioned the 'sending of the fire cors as use and consuetud is in sic cases becaus it standis apon the tinsale of the realm.' That the fiery cross was used in 1547 appears both from Patten and from the *Register of the Privy Seal* where there is a process against persons remaining 'at hame and byding fra oure soverane ladeis army . . . the fyre croce being borne throw the haill realme.'[3] In both these instances, which are the only ones known to me where the fiery cross is officially mentioned, Scotland was standing upon her defence, and it is not clear that the grim symbol was employed except in cases of great emergency. There is no evidence of its use in 1513.

From the *Accounts of the Lord High Treasurer* it appears

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[1] For the Scottish artillery, see *T.A.*, IV, lxxv. and lxxvi., and *Exchequer Rolls*, XIII, clxxi. Horses were sometimes used to drag guns.

For Borthwick, see *Pitscottie* (S.T.S. edition), i. 259.

[2] *A.D.C.*, 179.

[3] *Register of the Privy Seal of Scotland*, iii., A.D. 1542-48 (Edinburgh, 1936), p. 400, No. 2498.

that James sent letters to summon men for his fleet in June,[1] though he subsequently delayed the assembly of some of them from the 1st to the 8th of July, and that it was not until 24th July that he sent letters to the shires for his army.[2] According to these letters the muster was to be at Ellem Kirk, not far from Duns, but Pitscottie says that the host, or a great part of it, actually assembled on the Burgh Muir near Edinburgh. The transport of the guns was efficiently carried out. James took them from Edinburgh Castle between 17th and 19th August and they were hurried south with such speed that they were engaged in the siege of Norham between the 26th and 28th. It is plain that Highland and Lowland rallied to his call and he had undoubtedly a large force.

Food, however, must have been a great difficulty. Pitscottie alleges that all men between sixteen and sixty were summoned and that each was to bring forty days' victuals.[3] It may be questioned whether so large a provision of food could be demanded; for the campaign of 1523 [4] each man was to bring 'vittalis' for eight, seven, six or five days after his arrival, according to the distance of the various shires from the point of assembly, and for the campaign of 1533 [5] all men alike were to come with 'xii dais vittale nixt eftir thar cuming.' There is an obvious intention to ensure that the troops should not arrive at the muster with their provisions already consumed; but it is clear that either the levies, especially those from a distance, must have arrived with a slender store of food, or else that the carriage of the food must have necessitated much transport and many camp followers.[6]

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[1] *T.A.*, iv. 412, 413.
[2] *T.A.*, iv. 416.
[3] *Pitscottie* (S.T.S. edition), 257.
[4] *A.D.C.*, 179-190.
[5] *A.D.C.*, 390-391.
[6] Only in 1523 does there appear an attempt to make the burghs provide a large supply of food to the army.—*A.D.C.*, 180.

It has been surmised that the flour and wine brought to James by la Motte from France in May 1513 may well have been meant as 'mobilisation stores,'[1] but if any of this supply survived till the following August there is no record of its having been transported along with the guns in the army of invasion. The Scottish army, after nearly three weeks' campaign in the desolate Border country, must have been very short of food and there is no reason to doubt that desertions were frequent. The abundance of victual and drink found, according to Ruthall,[2] in the Scottish camp was probably reserved for the king and the gentry.

The Strength of the Scottish Army

What was the strength of the Scottish host? The ordinary English figure as presented in the *Trewe Encountre*[3] is 100,000 men; Hall's loyalty leads him to remark that 200,000 was the number first reported[4] but that at least 100,000 crossed the Border, and Holinshed, in his *English Chronicle*, accepts the same figure.[5] The *Articles of the Bataill*[6] put the Scottish army at 80,000, a figure which may seem to tally with Ruthall's statement that 20,000 men had gone home after the siege of Norham. The more cautious Brian Tuke[7] says that the Scots had only 60,000 men though they were reputed to have 80,000, and this figure was adopted by Polydore Vergil. Observers from afar give all kinds of estimates varying from the 200,000 with which the French tried to alarm the Pope[8]

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[1] *Letters and Papers*, I, ii. 877.
[2] *Letters and Papers*, I, ii. 1020.
[3] *Ballade of the Scottysshe Kynge*, 63.
[4] Hall, i. 98.
[5] Holinshed, *Chronicles of England* (London, 1808), iii. 591.
[6] *Letters and Papers*, I, ii. 1005. Cf. *Gazette of the Battle of Flodden* (in French), MS. Heralds' College, London, in Pinkerton's *History of Scotland* (1779), ii. 456.
[7] *Venetian Calendar*, ii. 134, and *Milanese Calendar*, i. 407.
[8] *Letters and Papers*, I, ii. 1018.

to the 24,000 of the cool-headed Venetian in Paris,[1] which was gradually increased by 'wishful thinking' to 60,000, then 80,000, and reduced to '50,000 ill-armed men' after the defeat. The Scottish official account, as stated, represented that when the battle ensued the Scottish army was reduced to a band of gentry and nobles, and to this version later Scottish historians adhere.

Pitscottie alleges that although James mustered 100,000 men he had only 30,000 with him at the day of battle. The *Scottish Chronicle* of Holinshed follows Lindsay and Buchanan into the assertion that the English outnumbered the Scots.[2] Modern historians have been chary in accepting the huge round figures beloved of the older writers. The kindly and discriminating Hodgkin, resting on commonsense rather than upon exact evidence,[3] thought that the Scots may have numbered 30,000 men [4]; Fitzwilliam Elliot, making a careful computation based on somewhat uncertain data, brought out a figure of 34,000 [5]; the iconoclastic Dr. Mackay Mackenzie would give the Scots no great superiority over an English army, which he puts at about 15,000 at most.[6]

What are we to make of all these figures? The number of 100,000 may be disregarded; it means only 'a very great many.' The total population of Scotland cannot have exceeded 600,000 persons of both sexes and of all ages at this date; in any case, 100,000 men could hardly have been maintained in the bleak hills of Northumberland and certainly could not have been accommodated in any fortified camp. On the other hand, as James mustered

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[1] *Venetian Calendar*, ii. 106, 113, 114, 118, 129.

[2] Holinshed, *Scottish Chronicle* (Arbroath, 1806), ii. 134.

[3] Robert White in *Archaeologia Aeliana*, New Series, iii. 215, reduces this number to something between 20,000 and 24,000.

[4] *Archaeologia Aeliana*, New Series (1854), xvi. 5.

[5] Fitzwilliam Elliot, *Battle of Flodden* (Edinburgh, 1911), 201.

[6] W. Mackay Mackenzie, *The Secret of Flodden* (Edinburgh, 1931), 48.

his full strength, it seems improbable, even allowing for faulty mobilisation and desertion, that his army numbered fewer than 20,000 men. The balance of opinion seems to be that it exceeded the English army on the day of the battle—though admittedly the bold stroke of Surrey and the bold speeches of his son indicate great confidence [1]—and the English army as given by Hall, who was using the contemporary account published by Pynson, was of 26,000 men. The evidence of the accounts here published suggests that this estimate was not so very far out; it may be surmised that the Scottish army may have mustered something like 30,000 men, and that it may have begun to dissolve before the field was stricken.

The English Military System

To the English army we must now turn. England had not, like France, created a regular army; but the long struggle of the Roses had left the Yorkist king in complete control of the artillery of the kingdom, much of which was stored in the Tower, and the appointment of a 'master-general' in 1483 argues that the importance of this arm was recognised. The long civil wars, moreover, had bred an abundance of armed men, and there had long been established a system of indentures whereby the Crown contracted with its tried supporters for the levy of a definite number of men on definite terms. In the hands of the competent Henry VII. the military resources of the country, though not formally increased save by the creation of a small personal guard, the famous 'yeomen,' on the French model, were not only organised but exercised in use. It is a commonplace that 'a fame of a war he liked well, but not an achievement'; yet it is often forgotten

[1] The admiral said he would neither give nor take quarter.

that Bacon also said 'yet he knew the way to peace was not to seem to be desirous to avoid wars.' Apart from the affair of Brittany and the addled expedition to Boulogne Henry had occasion to employ his forces against domestic rebels, against Scotland and in Ireland, and it is clear from the evidence that he raised his 'power' according to a definite plan. Reviving, in effect, the old statute of Winchester, he set himself to know exactly how many archers could be supplied from each county and made arrangements for the mobilisation of these under the leadership of local gentry according to the system of 'indentures.' There was nothing new in his theory; what was new was his thoroughness and his efficiency. In 1488, for example, he issued commissions for a muster of archers in each shire. On each commission sat, under the presidency of a trusted territorial magnate, half-a-dozen stout gentlemen and the sheriff of the shire.[1] The commission was instructed to summon earls, barons, knights and others before it and find out how many archers each could provide; they were to take names and numbers and send all to the king under seal. When, therefore, the king wished to raise a given number of troops he found it easy to make indentures with different captains, undertaking to pay a fixed rate, normally sixpence for an archer or billman, eightpence for a mounted archer, ninepence for a demi-lance and eighteenpence for a man-at-arms with custrelle and page.[2] When, in 1492, Henry prepared for an invasion of France in all form he issued a great many commissions, some of which have survived. Exact arrangements were made whereby each captain should receive a

[1] *Foedera*, xii. 355.

[2] Sometimes the man-at-arms with his custrelle was offered only a shilling a day (Pollard, *The Reign of Henry VII. from Contemporary Sources*, i. 94), but eighteenpence was the normal figure. Cf. Conway, *Henry VII.'s Relations with Scotland and Ireland, 1485-1498* (Cambridge, 1932), Appendix X.

month's pay, twenty-eight days to the month, on arrival at Portsmouth, and subsequently a month's pay on the last day of each month; he was ordered to pay out six days after his receipt of the money, though it was stipulated that the first payment was not to be made in full until the troops were actually in the ships.

If the king wished to raise a force for sudden emergency, he did so through his trusty followers by exactly the same method,[1] and it is easy to see how, when he required troops for continuous service, a sort of professionalism arose. A commission was given to some good soldier to raise so many men, he drawing pay as a captain and receiving pay, at the regular rates, for the agreed number save one. (In 1493, for example, Sir Roger Cotton took to Ireland 11 men-at-arms and 188 archers.) The force which followed him was called his 'retinue,' and sometimes, as when Poynings was sent to Ireland in 1494, the retinue might be a force of all arms including gunners.[2] For the payment of the army or expedition special arrangements were made, partly, it may be supposed, to dispense with the delays, and possibly the corruptions, of established officials. A 'treasurer of the wars in parts beyond the sea' was at first appointed by Henry VII. in the person of the all-competent Sir Reginald Bray, and when the continuous military activities of the king were limited to Ireland, John Pympe was appointed (in 1495) 'treasurer of the wars in Ireland.'[3] Once appointed, the treasurer for the king's wars dealt directly with headquarters, usually through the king's chamber which was at this time supplanting the more formal exchequer. From the chamber, or from its officers, the treasurer of the wars received an exact sum, usually a round sum, and to it he had to render an exact

[1] See the letters to Sir Gilbert Talbot, Pollard, *Henry VII.*, i. 93.
[2] Conway, Appendix X.
[3] Conway, 65.

account. The retinue could be supplemented with forces collected under other captains or by troops provided by local magnates and chiefs, but the finances were closely supervised by the royal officers. The guns were always supplied from the royal arsenal, generally from the Tower ; bows, bow-strings and apparently morris-pikes might be sent from the same source, though generally each captain was responsible for the equipment of his men. Collected and armed, the force was put under military discipline by the simple process of appointing a marshal who was made responsible for enforcing ordinances made by the king or made in his name. The powers of the marshal were probably well understood, though he was supposed to let the various ' articles ' be known abroad [1] ; he might regulate prices as well as punish military offences, and if the government had occasion to suspect any slackness it might, as in 1491,[2] pass a special statute against desertion.

Henry VIII., then, had inherited an efficient machine. His own martial propensities expressed themselves in the equipment of his fleet, in the development of his artillery and in the foundation of a *corps d'élite* known as the king's spears.[3] In the main, however, he was content to use the well-tried apparatus of his father which, except perhaps in the commissariat, operated extremely well. When, despite the defection of his slippery father-in-law, Henry

[1] *Letters and Papers,* I, ii. 993, for army orders of August 1513 about the burying of ordure and carcasses.

[2] 7 Henry VII., c. 1. Cf. 18 Henry VI., c. 19.

[3] The idea that this corps, which survives as the Gentlemen Pensioners, was purely ornamental, is false. When Henry's navy put to sea in 1512, seven of the captains were ' spears ' drawing no pay except their regular salary, and ten spears served in different capacities (*Navy Records Society,* 1897, xii., xv.). In the king's army of 1513 the king's spears, to the number of 400, formed the rearguard of the battle which marched with Henry from Calais, and on the muster-roll of the ' King's ward ' ' the spears men ' are shown as 1000. Evidently each spear must have been accompanied, French fashion, by a number of heavily armed horsemen when the king took the field.

decided to invade France in 1513, he had no difficulty in mustering an army. Arrangements were made for sending forth and for paying the ordnance [1]; the guard, the spears and the garrison at Calais were put on a war footing; German mercenaries were hired [2]; horses and carters were taken up by special commissioners to the various shires [3]; indentures were made with trusty nobles and gentlemen, and during the months of May and June there was transported to France a well-ordered host of about 26,000 men whose equipment and physique excited the admiration of foreign beholders.[4, 5]

The Military Resources of the North of England

In taking forth this magnificent force Henry did not denude his own country of defence. He left the Earl of Surrey, all-reluctant, as his 'Lieutenant in the North Parts against the Scots,' [6] and although he took with him a few light horsemen from the Borders he did not seriously deplete the war potential of the northern shires. This was formidable. From the county musters Northumberland, Cumberland, Westmorland, Durham, Lancashire, Yorkshire and Cheshire were all, as a general rule, excluded. This was not because these areas did not produce fighting men, but because it was understood that north of the Trent special conditions prevailed. There were the great palatinates—Durham, where the bishop held sway; Lan-

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[1] *Letters and Papers*, I, ii. 964.

[2] *Letters and Papers*, I, ii. 924, for the muster of Henry's army. The guard is shown as 600. Henry's army was supplemented by Burgundians and other mercenaries nominally paid by Maximilian and Charles.

[3] *Letters and Papers*, I, ii. 930.

[4] See the Venetian and Milanese reports. According to one of the former, 'the men resembled giants.'

[5] According to Hall's figures; the account and the muster-rolls shown in the *Calendar of State Papers*, though incomplete, establish the general accuracy of Hall (*Letters and Papers*, I, ii. 924-926).

[6] Hall, i. 96.

caster and Chester in the hands of the Crown, but in fact entrusted to men on whom the Crown could rely. There, too, were the great liberties, some of them in the hands of the Crown—through the duchy of Lancaster, for instance, some in the hands of noble houses—which preserved part at least of their privileges until Queen Elizabeth's day. The Earl of Northumberland held, besides Alnwick castle and his lands in Northumberland, two great honours in Cumberland and nearly a hundred baronies and manors in Yorkshire; the Earl of Westmorland, representative of the great house of Neville, was lord of great estates in Durham, Yorkshire, Northumberland and Cumberland; Dacre had four baronies in the north-east of Westmorland; the great name of Stanley was powerful in Lancashire; the Talbots of Shrewsbury held lands in Hallamshire and the families of Gascoyne, Conyers, Clifford, Cholmley and Stapleton all possessed jurisdictions which made them supreme in their own areas. Northumberland maintained a household which resembled that of the king in organisation and was not altogether unworthy of comparison in magnificence; the less important lords had naturally less splendour; but they all had power, and when, as not infrequently occurred, the holder of local authority was entrusted with the execution of a royal office, that power became very real indeed. The north of England, in short, preserved many of the attributes of the feudal society and could readily be called to arms.

Upon this military society lay the obligation of defence against the Scots. In some cases the Border tenants held their land under the special obligation of serving on horse or foot, as the case might be, against the northern enemies,[1] but even when the obligation was not expressed in terms

[1] Howard Pease, *The Lord Wardens of the Marches of England and Scotland* (London, 1913), 42.

of the feudal contract it was generally understood to be there—witness the argument of the Cornish rebels in 1491—and it was accepted as a matter of course, even perhaps as a matter of necessity. A great army, therefore, lay upon the soil, and when the Tudor king wished to call out his northern forces the way was plain before him; he had only to apply to the north the same system of indentures which he applied to the southern shires and he could command at once a strong force which combined the competence of the new professionalism with the enthusiasm of the old feudal following. The head of the family called out his men in the old way and they rallied gladly to his call.[1] How powerful was this call will appear from the fact that the leaders of the Pilgrimage of Grace, most of whose names occur in the roll of Surrey's army in 1513, assembled nearly 35,000 men, 'well tried on horseback,' in a surprisingly short time. Yet it must be remembered that the men who followed Surrey in 1513, or most of them, took the king's pay.

The Mobilisation of the English Army

The idea that the English army at Flodden was a chance-gathered levy of good fighting men is entirely incorrect. Henry had long been prepared for trouble with the Scots.[2] As early as December 1511 he had recalled some artillery which he had lent to Margaret of Savoy *à cause de son expédition contre les Ecossais*,[3] and from August to October in 1512 he had maintained an 'army against Scotland'

[1] A comparison between *Jamie Telfer* and *Fit the Fifth* of *Flodden Field* edited by Henry Weber (Edinburgh, 1808) shows that the raising of the north country, and especially of Stanley's power, was very like that of the raising of the Scots on the north side of the Border.

[2] He had reason for his apprehension for his action had been most provocative. *Inter alia*, he claimed the suzerainty of Scotland in the preamble to his Subsidy Act of 1512 (*Trans. of the R.H.S.*, 1947, 105).

[3] *Letters and Papers*, I, i. 496.

under the commander 'Thomas earl of Surrey, Treasurer and Marshal of England, Lord Lieutenant and Captain-General of the said Army.'[1] This was only a skeleton force of a few hundred men, but its nucleus was the 'retinue' of experienced men which accompanied Surrey from the south and it was supported by some of the king's ordnance sent forth from the Tower with a competent number of gunners. It is reasonable to suppose that the lieutenant used the two months which he spent at York and Pontefract to review the machinery required for a hasty muster; it is certain, at all events, that the measures which he took after he came north in 1513 were very effective. When he heard of the siege of Norham on 25th August he was at Pontefract, and he took the field at 'Bolton in Glendale' with an organised army on 5th September. These dates speak for themselves. How was it done? The first of the documents printed gives the answer.

Its very form is eloquent. In spite of the fact that the English army obtained a signal victory the whole finance of the operation was subjected to a close review; the account of Sir Philip Tilney, treasurer of the king's wars, was examined by Sir Robert Southwell, one of those 'general purposes men' so conspicuous in the Tudor council. To Tilney had been paid sums in ready money and from him was demanded an exact account, vouched by the lieutenant-general, who in turn must produce vouchers for particular expenses.

From the account it is clear that the 'viage' was supposed to begin on 21st July—long before the ultimatum sent by James to Henry at Thérouanne—and that Tilney had been appointed Treasurer of the War at a still earlier date. On 16th July he received £1000 from John Heron,

[1] *Letters and Papers*, I, i. 660.

Treasurer of the King's Chamber [1]; exactly a month later he had £3000 from the abbey of St. Mary at York, which seems to have acted as an accounting office for the north parts.[2] On 27th August he got £10,800 from the same source and on 16th September another £2000. The payments made from the monastery were made upon a warrant, sent presumably from the king's chamber, and Tilney's receipts, in the form of indentures between him and the payers, were duly produced. The total receipt was £16,800.

In accounting for the use of this money Tilney lays bare the whole machinery of the Tudor mobilisation. First of all, Surrey had collected at Lambeth various captains, petty captains and soldiers who were given their conduct-money from diverse parts of the realm, men presumably known to himself,[3] and before long he had a 'retinue' of 500 persons including 5 captains, 5 petty captains, 1 spear, 43 demi-lances and 446 soldiers. To this was added a sort of headquarters' staff consisting of the marshal of the army, the master of the ordnance, the treasurer of the wars and his staff, a pursuivant with his staff, trumpets, craftsmen and servants. All these persons were 'taken to wages' varying from £5 a day to the captain-general to 8d. to a soldier, and the wages were made payable from the 21st day of July to the 14th day of September, a period of two months at 28 days for the month. Allowance was also made for the coats of the

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[1] For the place of the king's chamber in the Tudor economy, see Dietz, *English Government Finance, 1485-1558* (1920); Newton, *The King's Chamber under the Early Tudors*, E.H.R., xxxii., and Newton, *Tudor Reforms in the Royal Household* in *Tudor Studies*, ed. Seton Watson, 1924.

[2] A great Benedictine abbey where the money to pay the Border garrison was normally kept. At the time of the dissolution it had 50 monks.

[3] Hall says they were his gentlemen and tenants and that they were mustered by Sir Thomas Lovell.

king's livery, at 4s. each, for the 500 men of the retinue and the 39 attached officers and men. Nothing is said as to the colour of these coats, but the accounts of the 'army' of 1512 show that Surrey's retinue had 500 coats of green and white, and from a Venetian description of the English army in France in 1513 [1] it appears that many of the king's soldiers wore the royal colours.

Immediately after he had mustered Surrey moved north.[2] As he passed through Doncaster, he despatched Sir William Bulmer with 200 mounted archers to strengthen the Border garrison and, before the end of the month or early in August, he was at Pontefract with the nucleus of an army. Arrived there, he at once began the active preparations described by Hall. Summoning to him the gentlemen of the northern counties he selected from them a council with the aid of which he matured his plans. Sir Nicholas Appleyard, master of the ordnance, was instructed to arrange for the conveyance to Newcastle of the royal artillery, which had already arrived—this is very significant—at Durham. Messages were sent to all 'Lordes Spirituall and Temporall, Knyghtes, Gentelmenne, or other whiche had tenauntes or were rulers of Tounes or liberties (able to make men) to certifye what number of able men horsed and harnesed, they were able to make within an houres warnynge and to geve there attendaunce of hym.' [3, 4] The earl also 'layed Postes every wáye

[1] *Venetian Calendar*, i. 98 and 105.

[2] Hall says on 22nd July.

[3] Hall, i. 98.

[4] It is not clear what proportion of the English army was mounted. It seems to have fought for the most part on foot, but its rapid movement may be explained by the fact that many of its men were horsed. The contribution of the 'tounes' may be judged from the list of the Craven contingent preserved at Bolton abbey. Large villages like Marton and Addingham each sent nine men 'horssed and harnessed at the tounes cost.' (*Archaeologia Aeliana*, New Series, xvi. 356. See also the edition of *Flodden Field* by Federer, 155.) From the *Articles of the Bataill* and

whyche Postes stretched to the marches of Wales to the counsayll there, by reason whereof, he had knowledge what was done in everye coste.' The wages of these posts, duly vouched, of course, are shown upon Tilney's account. That account says nothing of another arrangement which Surrey must have made, and for this reason it seems probable that the arrangement was made before the earl quitted London. At some time he provided for the co-operation of the fleet, which had now fulfilled its duty of escorting the English army across the Channel. Some of the stories allege that his son, the admiral, brought back from the siege of Thérouanne 6000 good soldiers, despatched hastily on the news of the Scottish invasion, but there is no evidence that this is so. What is certain is that Lord Thomas arrived at Newcastle, in the face of very bad weather, and brought to the aid of his father an extremely competent contingent from the ships which, it will be remembered, always carried soldiers as well as sailors. The rendezvous at Newcastle must have been appointed beforehand.

With all his preparations thus made Surrey awaited the event, and while he waited fortune sent him a good omen of victory. A Scottish raid led by Lord Hume was cut off as it struggled home laden with plunder, and lost very heavily in an action wherein Bulmer's mounted archers played a conspicuous part. This ' Ill Raid ' occurred early in August ; on the 22nd James crossed the border. Surrey was immediately advised, and though the speedy capitulation of Norham evidently came as a shock to the English the earl's arrangements worked with astonishing facility.

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from Ruthall's letter to Wolsey, *Letters and Papers*, I, ii. 1005 and 1021, it seems that the English lost thousands of horses when during the action their lines were plundered by the Borderers, but ' whether by Scots or Borderers ' the bishop could not say. It will be noticed that the ordinary soldier was paid 8d. a day, the wage of a mounted man ; 6d. was the pay of a foot-soldier.

As soon as he heard of the Scottish invasion he must have sent out his mobilisation orders by means of his swift posts, and the fact that he summoned all his contingents to Newcastle for 1st September shows that he was confident of speedy obedience. He himself marched north by way of Durham, where he paused to accept the sacred banner of St. Cuthbert from the hands of the prior, and arrived at Newcastle on the 30th. There he met his council and decided to take the field at Bolton in Glendale on Sunday, 4th August. The bad weather delayed the muster of his hosts and on the 3rd he moved out to Alnwick to leave more room for the assembling contingents. His son came to him from the sea on the 4th; the various 'battayles with wynges and with ryders necessarie' were 'appoynted,' and on the 5th, only one day late, he 'tooke hys felde' at Bolton with a well-organised army, stated by Hall to number 26,000 men.

The Strength of the English Army: Evidence of Tilney's Account

Of the machinery which produced this effective mobilisation the accounts here published testify. As the core of his force Surrey had his retinue of 500 men with various officers attached, to bring up a total of 539 for whom coats were supplied. This force he supplemented by various contingents whose numbers may be known or deduced with more or less accuracy from the pay roll. Conduct-money was paid to 'dyverse lordes, knyghtes, squyres, gentelmen and yomen' to pay for them and their troops for their journey 'frome soundrie places of the North parties unto the towne of Newcastell' at the rate of 8d. for every 20 miles, and the total sum paid amounted to £1141, 1s. 8d. As the contingents made journeys of varying lengths it is impossible to make more than a guess as

to their total strength. Obviously, if every man had come just 20 miles the host would have mustered something like 34,232; but on the assumption that the average journey was something under 75 miles, rather more than 9000 soldiers must have come in. To these must be added the 1988 men sent from Lancaster by the Bishop of Ely, James Stanley. On this computation Surrey would have, according to these two entries, about 11,000 men, and the essential accuracy of the calculation may be established from another set of figures. From 1st September on the troops ceased to receive conduct-money, and Surrey took on to his pay roll on that day a total of 11,500 men :—

27 chief captains at 4s. a day,
12 petty captains at 2s. a day,
55 demi-lances at 9d. a day, and
11,406 other soldiers each at 8d. a day.

This was not, however, the whole of his force. According to a subsequent entry Sir Edward Stanley, fifth son of the first Earl of Derby, received £4229, 17s. 4d. in respect of conduct-money and wages of the retinue which followed him from the County Palatine. On the analogy of other forces from this area, conduct-money of 3s. 4d. a man may be assumed. The wages for each man at 8d. a day for 14 days would be 9s. 4d., and on this reckoning Stanley's contingent would number 6678 men. If some allowance be made for wages paid at a rate higher than 8d. a day, his force might be put at 6600. This figure may be checked by another calculation. If conduct-money for 6600 men at 3s. 4d. a day (£1100) be deducted from the sum paid to Stanley it will be seen that he had £3129 left for the payment of wages. This is something less than three-fifths of the £5444, 1s. 6d. paid to Surrey for 11,500 men, and on this computation Stanley would have been able to pay 6900 men. But, on the other hand, for every man over

6600 assigned to Stanley an additional 3s. 4d. would have to be allowed for conduct-money. Obviously, exact calculation is impossible, but it is fair to assert that Stanley's contingent cannot possibly have numbered fewer than 6500 men and that probably it numbered more. Next must be added the retinue brought from the fleet by the admiral. This body received £433, 6s. 8d. in land-wages as opposed to sea-wages, and it is clear both on general grounds, and from the sum claimed as 'spared' when the force was dismissed, that these wages were paid in respect of a land service of 14 days.[1] At what rate the men from the sea were paid does not appear. Aboard ship soldiers and seamen received only 10s. a month for wages and 'vitayle,'[2] but if it be assumed that once they were ashore the men from the fleet were treated as mounted archers and given 8d. a day, the strength of the admiral's force would appear as 928 men. A computation based on the fact that Surrey got £5444 for 11,500 men would bring the force from the sea out at 915 men. Either of these totals agrees fairly well with the statement of Polydore Vergil that the admiral's contingent numbered 1000; plainly, the story that he brought with him 6000 veterans from Henry's army must be discounted.

A separate item on the account shows that pay was given to 200 mounted archers sent north under Sir William Bulmer early in the campaign. How many of these were present at Flodden it is hard to say, but Sir William himself was there to play a manful part as leader of the con-

[1] Characteristically the expense of bringing the fleet to Newcastle was included in the general audit. The movement of ships cost money and the money had to be accounted for. The expenses at sea, however, are not relevant to our computation. Howard, who encountered such bad weather that his ships were nearly 'drowned,' arrived late at the rendezvous, but as the land-wages and sea-wages were included on the same account there was no need for the accountants to bother about the odd days.

[2] *Navy Records Society*, The War with France, 1512-13, 5.

tingent which followed the banner of St. Cuthbert, and perhaps it may be supposed that he brought 100 of his archers with him.

In the army of Surrey must be included also the royal artillery. From various accounts of the battle it is clear that the English guns were well served, but it is very hard to determine the exact strength of the ordnance train. £849, 13s. 7½d. was paid to 'William Blakewall, clerk of the kynges ordynaunce in the seid North parties,' who, as we know from Hall, had had the guns up as far as Durham at the very beginning of the campaign. It is impossible to determine how much of this money went upon 'diverse necessaries' and how much upon wages; it is difficult, too, to find out for how long a period wages were paid.[1] It is hard to suppose that Tilney would deal with sums due for service before 21st July, the day on which his account opened, though it is likely enough that some at least of the gunners, carpenters and wheelwrights were in the royal service before this date. If we make the rather large assumption that the whole ordnance train was shown in this account as receiving pay from 21st July we should have to regard the artillery as being paid, like the retinue, for 56 days. If it be assumed that 8d. per man per day was an over-all average wage—in 1512 gunners were only given 6d.—it will appear that each man would receive £1, 17s. 4d. for the whole period, and if, by sheer guess, it be supposed that of the £849, £750 went on wages, the strength of the ordnance contingent would be approximately 400 men. This may be too modest a figure; the

[1] In the 'Army in the North' of 1512 some of the officers and men were paid for a period prior to 20th August; after that date all were paid regular wages for two months. In 1513 the artillery for the king's army was shown on a separate account for at least part of the time, and in the separate account, too, are shown all kinds of payments for ordnance which includes all kinds of military stores—the 'diverse necessaries' of our account. *Letters and Papers*, I, i. 660-661, and I, ii. 1036 and 1045.

ordnance which marched in the Middle Ward of the royal army in France numbered 1173,[1] and though Henry was very strong in artillery, the total force which he brought from England seems to have numbered only about 26,000 men. If we put Surrey's ordnance at about 400 we shall, in all probability, not be guilty of great exaggeration.

The only other persons shown as receiving the royal pay on Tilney's account are the five persons recruited by Surrey into his retinue after his arrival in the north and the six archers for whom Sir George Darcy established a special claim.

The reinforcements sent to Berwick, though included in Tilney's account, cannot be reckoned as having been present at Flodden, and the payments of conduct-money made to contingents not shown as receiving pay—the bishop of Ely's 1988 men, for example, and the 1200 additional men brought by Ralph Birkenhead—cannot be regarded as establishing the presence of large numbers of men who served without pay. The explanation of the entries is probably to be found in the exigencies of book-keeping;—contingents might not have arrived in time or there might be difficulties and disputes about enumeration. It is probably right to assume that all contingents noted as receiving conduct-money but not pay received their pay among the 11,500 men of Surrey's main force.

It is, however, not impossible that there were with Surrey men who served without pay. Some might serve from tenurial obligation, others might volunteer from emulation and the desire to ride with their fellows; others might present themselves burning with hatred of the Scots who had harried them out of their homes. For these groups of men not even an approximate figure can be hazarded. Their number might not be large, but surely there would

[1] *Letters and Papers*, I, ii. 925.

be some; an army marching against a hated invader would be liable to gather some extra men.

We are now in a position to make a fair estimate of the strength of Surrey's army. The figures are these :—

The retinue of the general brought from London	539
The men paid as under Surrey's direct command	11,500
The men paid through Sir Edward Stanley, as computed	6,500
The retinue of the lord admiral, as computed .	900
Sir William Bulmer's archers at half strength .	100
The ordnance, as computed	400
Odd men	11
	19,950

It will be noted that with a possible exception of Sir William Bulmer's archers all the 'computations' are upon the conservative side. If some allowance is made for understatement and for the presence of a few 'volunteers' it will be seen that Surrey's army was probably slightly in excess of 20,000, though probably it did not reach the total of 26,000 ascribed to him by Hall.

The Evidence of Surrey's Statement of his Economies

The approximate figure thus reached can be established in another way. Surrey, who must have needed a large income to support his estate in a manner conformable to the splendour of the king, was certainly anxious to get money, and may have thought that the grant of the dukedom of Norfolk made to him in February 1514 was not a sufficient reward for his achievement. The greatness of that achievement may in fact have been minimised in the public eye because of royal jealousy, especially since the victor was a Howard. Some time in 1514 he

endeavoured to excite the generosity of the government by setting forth the saving made to the royal finances by the speed and the completeness of his triumph over the Scots.[1] He showed that immediately after the victory, on 14th September, he had dismissed the great part of his army and claimed that by so doing he had saved the wages of 18,689 men for a fortnight. At first sight his action seems to show a lack of gratitude to the soldiers who had served him so well, but it was certainly not unique. In August 1560 William Cecil adopted exactly the same procedure, and pointed out that by dismissing the royal army twelve days after the conclusion of the treaty of Leith on 6th July he had saved the Crown £1000 a day.[2] For Surrey, too, it must be remembered that his followers had no doubt enriched themselves with the spoils of the slain and the booty of the Scottish camp. The general, it will be observed, remarked that the captured artillery was worth 1700 marks apart from its prestige value, but it does not appear that the other munitions, of whose 'sparing' he boasts, were spoils of war. Some of them may have been booty, but they seem in the main rather to have been 'unexpended' stores. It may be taken as certain that his men took to themselves any armour, clothes—the bodies were stripped naked—weapons and gear which they could obtain and that no exact inquiry would be made. Flushed with their magnificent victory, and as glad as most troops to get home again, his men probably went off happily enough.

It may be thought, not without reason, that the leaders claimed and got pay for men who were already vanished from their ranks—the *mort-payé* was a familiar figure in the military accountancy of the time[3]—but, even if this

[1] See the second document here printed.

[2] *Calendar of State Papers* (*Foreign*), 1560-61, 262-263.

[3] J. W. Fortescue, *History of the British Army* (London, 1910), i. 86.

is so, it can hardly be believed, in view of the meticulous accuracy of the audit here printed, that there was room for dishonesty on a very large scale. Supposing that Surrey dismissed 18,000 live men on 14th September his original army on the day of battle must have exceeded that number very considerably. In the first place, the English had suffered casualties. We may discount the claim of the Scots that the English losses were greater than their own, but we must view with extreme caution the English assertion that they lost in all about 400 men. According to their own accounts, the struggle had been hard. The *Trewe Encountre* excuses the failure of the English to give quarter on the ground that the Scots had shown themselves so 'vengeable and cruel' in their fighting.[1] Henry wrote to the Duke of Milan that the battle had been long and sharp,[2] and the Duke's agent in London, writing on the same day, reported that 'very many on both sides were slain.'[3] Ruthall, writing to Wolsey a few days later, said that the English lost about 1000 men killed and 5 or 6 score prisoners.[4] It seems safe to assume that the English casualties must have numbered at least 1200 and it is possible that they exceeded this figure. As to the fate of the badly wounded we can only speculate. But one may hazard a guess that almost all the survivors were numbered among the 18,689 whose wages their commander claimed as 'spared.'

Besides the dead there were other soldiers not included in the 'pay-off' of 14th September. The accounts make it plain that Surrey did not include his own retinue amongst the soldiers whom he dismissed so speedily. That force,

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[1] In *The Ballade of the Scotysshe Kynge*, 76.

[2] *Letters and Papers*, I, ii. 1017.

[3] *Letters and Papers*, I, ii. 1017.

[4] *Letters and Papers*, I, ii. 1021. Cf. the apparent heavy losses in Surrey's own retinue as shown *infra*.

it will be remembered, was originally of 500 men; after the battle the lord captain claimed pay for 293 men for 10 days, and, on the face of it, it would appear that his personal following had suffered heavy casualties. It is just possible, of course, that some of the retinue were dismissed without additional pay amongst the 18,689 men, but the special references to conduct-money for the retinue homeward — and for the retinue alone — suggest that Surrey's own contingent was not included in the general 'pay-off.' The retinue was plainly accorded separate treatment as regards pay and conduct-money. Whatever its strength at the end of the engagement it was of 500 men when the action began.

The officers who accompanied the retinue north from London were presumably for the most part non-combatants. After the battle they are shown as without any of their 24 soldiers, craftsmen and servants, but that is probably because their men had been written off in the general disbandment; they may have suffered some casualties, but they could hardly have perished to a man. In an estimate of Surrey's fighting strength they may be disregarded.

Nothing is said of the ordnance in Surrey's claim of 'sparings,' but it is improbable that the whole train was included in the 'pay-off' of 14th September. As already stated, some of the gunners were by way of being regulars, and though they were paid for 14 days as a part of the 'viage,' they would continue their service after 14th September. That they did so seems extremely likely; the king's guns had to be got home again and the captured Scots artillery had to be handled too. Granted that the garrison of Berwick would help in the matter, there remains a great likelihood that the large part of the ordnance train stayed in the king's service at least until the royal artillery was safely restored to the Tower.

If the question of the *morts-payés* be disregarded, the

evidence from the disbandment of the host would read as follows :—

Paid off on 14th September		18,689
Killed and prisoners	(say)	1,200
Surrey's retinue—paid-off separately . .		500
Ordnance—as previously estimated . .		400
		20,789

If, then, taking all the evidence together, we put the total strength of Surrey's army as something over 20,000 men, we shall probably not be far out. They cannot have been greatly outnumbered by the Scots.

Before we leave the question of numbers it is proper to remark that, whereas James had gathered the whole power of his country, the English commander had behind him a second line of defence. A Venetian account says that the queen was in the field with a large army a hundred miles from London.[1] Tuke, writing to Pace a letter meant to be used for propaganda purposes, alleges that Lovel was at Nottingham with 15,000 men and the Queen forty miles from London with 40,000.[2]

The Armies compared—a Victory of Organisation

In physique the advantage may have lain with the English. True, according to Ruthall, the Scots were such sturdy fellows that it took several blows of a bill to destroy a single man, but Ruthall was writing of the men with heavy armour. It seems unlikely that the whole fighting tail of a lord or chief could compare man for man with picked soldiers selected from among those available, and the mere physical performance of the English on the day

[1] *Letters and Papers*, I, ii. 1019.
[2] *Venetian Calendar*, ii. 134 ; *Milanese Calendar*, 407.

of Flodden is a tribute not only to their valour but to their bodily strength.

In equipment, too, the advantage was probably with the English. In both armies it was expected that the ordinary soldier should come in bearing the armour and carrying the weapons proper to his status, and as England was the wealthier community the odds are that the man turned out 'horsed and armed' to the levy in England would be better provided than the man who presented himself with the equipment which had passed muster at the wappinschaw. Successive Scots statutes had tried to improve the armament of the shire levies. In particular, efforts had been made to enforce the use of the spear six ells long and to encourage the use of the bow; the attempts made, however, to improve Scottish archery were evidently unsuccessful, and Acts of 1456, 1471 and 1491 [1] gave the yeomen the choice between a bow and an axe. From the accounts of the battle of Flodden it is plain that the Scottish archery was of little importance and that the main weapon of the Scottish foot was the spear. Hall tells us that in 1513 the Scots were busy importing from Campvere long spears called 'Colin Clouts,' but there is no evidence that James brought with him on the campaign the stock of spare weapons which, as appears from the accounts, was at the disposal of the English army. Plainly, the Scottish soldier had to fight with the arms he brought with him, good or bad, whereas in the English host deficiencies could be made good from the reserve at headquarters.

In the matter of commissariat there was not much to choose between the two armies. From the accounts it appears that Surrey endeavoured to provide 'vitayles' from Newcastle; but it appears also that some of this

[1] *A.P.S.*, ii. 45, 100, 226.

provision was looted on its way to the host, and it is certain from the descriptions of the battle that the English army was short of food and, above all, of beer. Without beer the English soldier of that day was not his best. The *débâcle* in Guienne of 1512 was attributed largely to the drinking of 'hote wynes' and the poor performance of an English force in the Borders in 1542[1] to the deleterious effects of 'pudle water.' The moral was not lost upon the English commander—the 'Admiral' of Flodden—for when he was about to invade Scotland in 1543 his efforts to provide for food and, above all, beer, are conspicuous.[2]

Despite the failure of its commissariat the English army was far better organised than that of the Scots. James brought to the fray a national army levied partly by feudal service, partly by calling out shire levies of all men between 16 and 60, and partly by appealing to the valour and pugnacity of the Highland chiefs. Surrey had at his command a semi-professional army brought into the field by a machinery which had been tried and improved by use under Henry VII. and in the early days of Henry VIII. His soldiers were paid for their services; they were levied upon a definite plan; they were organised roughly under captains and petty captains. Even granting that the figures shown in the various 'bokes of parcelles' were not always absolutely right the English commander must have known fairly well the strength and equipment of the various contingents which made up his host. He knew, too, that even if his venture was unsuccessful there was behind him a reserve of men from which a new army could be raised. James was well aware that he must risk all upon a single throw. He knew, too, that all, or nearly all, depended upon himself; his allegiance alone held together

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[1] *Hamilton Papers*, i. 293.

[2] See the references to beer in the index to *Hamilton Papers*.

contingents whose leaders may not have known each other at all,[1] or may even have disliked each other. Playing the part which in his eyes was proper to the Red Lion he attacked at the head of his men. Fate was not kind to him.

J. D. M.

[1] It is said that the laird of Buchanan, who had been badly wounded in the battle, was slain during the retreat by a Mackenzie of Kintail because sixteen years previously he had killed Mackenzie of Kintail who had escaped from Edinburgh Castle.—Gregory, *History of the Western Highlands and Islands*, 113.

THE ENGLISH ARMY AT FLODDEN

The first of the documents here printed is in the Public Record Office—*Exchequer Accounts*, 56(27). It is summarised in the new edition of *Letters and Papers* edited by R. H. Brodie, I, ii. 1157. The second is in the British Museum, Egerton MS. 2603, f. 30. It is noticed briefly in the *Letters and Papers*, I, ii. 1157.

Audit of Sir Philip Tilney's Account

(18 February 1514)

Norward for defence of the Scottes.

Here ensuyth a declaracion taken afore Sir Robert Southwell knyght assigned and appoynted by vertue of our soveraigne lord the kynges letters missives to hym in that behalf directed to take here vewe and determynen (*sic*) the acompt of Sir Philipp Tylney knyght Tresorer of our seid soveraigne lord the kynges warres under the ryght honorable Duke of Norffolk Leiftenaunt and Capteyne Generall of the North parties of this realme for the resistaunce of the malicious purpose and invadyng of the late Kyng of Scottes whome the seid Duke overcome (*sic*) overthrew and distroyd at the feld in Bramston Heth then beyng Erle of Surrey. That is to sey aswell of all and almaner of sommes of money by the seid Tresorer or his deputie or deputies receyved of Johnne Heron Tresorer of our seid soveraigne lord the kynges Chambre and of Edmounde Abbot of the monastery of Seynt Mary in York and Thomas Magnus Archedeacon of thestredyng by severall warrauntes to them in that behalf directed. As also of the avauncement employment and expendyng of the same for and abowt payment of wages jaquyettes and conduyte money of the seid Leiftenaunt Generall and his

retynue for the tyme of his abode in the seid North parties. and also of dyverse noble men and their retynewes beyng in the kynges seid service at the foreseid feld of Brankston with [other [1]] costes of conveyaunce of ordynaunce and other necessarie charges concernyng the same viage that is to sey frome thc xxj^{t} day of July the vth yere of our scid soveraigne lord the kynges reigne unto the xviij day of Februarj next folowyng that is to sey

Money receyved of— Johnne Heron.

Tresorer of our seid soveraigne lord the kynges Chamber the xvjth day of July the fyft yere of our seid soveraigne lord the kynges reigne apon a warraunt for provision of jaquyetes and for conduyte money of a certeyn nombre of souldiours reteyned by the foreseid Duke then being Erle of Surrey to attend apon hym norward as by indentures therof made betwene the seid Johnne Heron and the seid Sir Philip Tylney apon this declaracion examyned it may appere,

—m li.

Thabbot of Seynt Mary Abbey.

in York and Thomas Magnus clerk Archedeacon of thestredyng the xvjth day of August the yere foreseid apon a warraunt to them directed, mmm li. The xxvijth day of the same moneth, x^{m} dccc li. And the xvjth day of Septembre the seid fyft yere by the handes of Danne Richard Wode and Danne Richard Rypon monkes of the seid monastery, mm li. In all as by thre severall indentures therof made betwene the seid abbot Thomas Magnus clerk and the said Sir Philip Tylney apon this declaracion examyned it may appere,

—xv^{m} dccc li.

Somme of the hole receiptes aforeseid

—xvj^{m} dccc li.

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[1] Deleted in text.

Wherof

In allowaunce to the seid Tresorer for—

Conduyte money owteward of the lord Capteynes retynue.

Fyrst the seid Tresorer hath payed to dyverse capteyns peticapteyns and souldiours for ther conduyte money frome dyverse partyes of this realme to Lambehith ther to be musterd and reteyned into wages to attend apon the seid lord Capteyn and Leiftenaunt Generall norward as in a boke of the particuler parcelles with severall names made by the seid Tresorer and also by a boke signed by the seid Capteyn Generall apon this declaracion examyned it may appere,

—xlij li. x s. v d.

Wages of the lord Capteyn officers of warre and their retynues norward.

Also payed for the wages and dietes of the seid lord Leiftenaunt and Capteyn Generall at c s. by the day and of d persones of his retynue wherof v of them were capteyns ynder hym yche of them takyng iiij s. by the day, v peticapteyns yche of them at ij s. by the day, oon spere at xviij d. by the day, xliij demi launces yche of them at ix d. by the day, and ccccxlvj souldiours yche of them at viij d. by the day. And also for the wages and dietes of the marshall of tharmy the maister of thordynaunce and the tresorer of warres yche of them at vj s. viij d. by the day. The tresorers clerk, the clerk comptroller, the purseaunt at armes, the serieaunt at armes, yche of them at ij s. by the day, the harold at armes at iiij s. by the day, vj trompettes ych of them at xvj d. by the day, the joyner at xij d. by the day and xxiiij souldiours craftemen and servantes to the seid officers ych of them at viij d. by the day. That is to sey aswell goyng norward and makyng abode at Pountfract and other places in the seid North parties frome the xxj^{t} day of July the seid vth yere unto the xiiijth day of Septembre next ensuyng by the space of too moneth accomptyng xxviij dayes for the moneth as in a boke

of the particuler and monethly wages made by the seid Tresorer and also by billes signed with the hand of the seid Capteyn Generall apon this declaracion examyned it may appere,

—mcccl li. xij s. viij d.

Cotes bought of the kynges lyverey.

Also payed aswell for d cotes for the retynue of the seid lord Capteyn Generall as also for xxxix cotes for the officers of warre and their retynues every ych of them takyng for his cote iiij s. as in the seid boke of parcelles and also by a bille signed with the hand of the seid lord Capteyn apon this declaracion examyned it may appere,

—cvij li. xvj s.

Also payed for the wages of v persounes reteyned by the seid lord Capteyn into his seid retynew afore Branxston feld that is to sey ij of them by xxj dayes and iij of them by xix dayes ych of them at viij d. by the day as in the seid boke of parcelles and also by a bille signed with the hand of the seid lord Capteyn apon this declaracion examyned it may appere,

—lxvj s.

Wages of postes.

Also payed for the wages and costes of certeyn post (*sic*) layed aswell betwene Pountfret and Manchestre, as also rydyng into the Counte Palentyne to York and other places as by the boke of the particulers therof and by billes signed with the hand of the seid lord Capteyn apon this declaracion examyned it may appere,

—vij li. xix s. x d.

Conduyte money towardes Newcastell.

Also payed to dyverse lordes knyghtes squyres gentelmen and yomen for the conduytyng of them and their retynues frome soundrie places of the North parties unto the towne of Newcastell, every man

rated aftyr viij d. for every xx myle [1] as in the seid boke of parcelles and billes assigned by the seid Capteyn Generall apon this declaracion examyned it may appere,

—mcxlj li. xx d.

Conduyte money towardes Newcastell.

Also payed to the Bishop of Ely for the conduyte money of mix^{c} iiij^{xx} viij men of his retynue owt of the countie palantyne of Lancastre to Newcastell every man takyng for his conduyte in groce iij s. iiij d. as by the seid boke of parcelles and bill signed by the seid Capteyn Generall apon this declaracion examyned it may appere,

—cccxxxj li. vj s. viij d.

Wages for xiiij dayes towardes the Feld.

Also payed for the wages of dyverse lordes knyght squyres gentillmen and souldiours to the nombre of xj^{m} d. men, beyng in the ledyng and governaunce of the forseid lord Capteyn and Leiftenaunt Generall in the kynges army, avaunsed ayenst the insasions (*sic*) of the late kyng of Scottes by the space of xiiij dayes begynnyng the fyrst day of Septembre and endyng the xiiijth day of the same moneth that is to sey cheif capteyns xxvij every of them at iiij s. xij peticapteyns every of them at ij s. lv demi launces every of them at ix d. and xj^{m} ccccvj other souldiours every of them at viij d. by the day as in the seid bokes of parcelles and billes signed by the seid lord Capteyn apon this declaracion examyned it may appere,

—v^{m} ccccxliiij li. xviij d.

Wages of mesyngers.

Also payed for the wages of Christofer Wallys Rugedragone and Richard Gurry mesyngers rydyng at dyverse tymes with letters and mesages into soundrie places as by billes of their costes and day

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[1] For the assembling of the crews of the English navy in April 1512 conduct money was paid at the rate of 6d. per 12 miles (Navy Records Society, *The War with France, 1512-13*, 3).

wages signed by the seid Lord Capteyn apon this declaracion examyned it may appere,

—cxviij s. viij d.

Wages of monkes and their servauntes.

Also payed for the wages of ij monkes of the Abbey of Seynt Maris in York and iiij servauntes and their chapleyn and his servaunt going with the kynges money frome York to Newcastell and attendyng ther for the delyverey of the same by the space of xxiij dayes, ether of the seid monkes at ij s. the chapleyn at xij d. and every of the seid servauntes at viij d. by the day as by the seid boke of parcelles and signed billes apon this declaracion examyned it may appere,

—ix li. xiij s. iiij d.[1]

Prestes— Sir William Bulmer knyght.

Also delyverd to Sir William Bulmer knyght in wey of prest for the wages of hymself and cc archers on horseback lying in certeyn fortresses and garisons in Northumberland marchyng apon the bordders of Scotland as in the seid boke of parcelles and a bill signed by the seid lord Capteyn apon this declaracion examyned it may appere,

—cxx li.

Rauf Brykenhede.

Also delyverd to Rauf Brykenhed by the handes of the Bisshop of Ely for the conduyte of certeyn souldiours owt of Cheshyre and Lancashyre to the towne of Newcastell aftyr iij s. iiij d. for every souldiour as in the seid boke of parcelles and billes signed by the seid lord Capteyn Generall apon this declaracion examyned it may appere,

—cc li.

Lord Admyrall.

Also delyverd to my lord of Surrey by the name of Thomas Lord Howard Admyrall of England by wey of prest for the land wages of his retynue comyng with hym frome the see as in the seid boke of parcelles

[1] Should be £9. 11s. 8d.

and a bill signed by my seid lord Capteyn it may appere,

—iiij^{c} xxxiij li. vj s. viij d.

Lord Admyrall. Prestes.

Also delyverd to my seid lord Admyrall by wey of prest towardes the payment of wages and other necessaries concernyng the kynges navye on the see beyng with the seid lord Admyrall in the seid North parties as by the seid boke of parcelles and a bill signed by my lord Capteyn Generall apon this declaracion examyned it may appere,

—m li.

E. Stanley.

Also delyverd to Sir Edward Stanley knyght in wey of prest for the conduyte money and wages of his retynnew alswell commyng owt of the Countie Palentyne as beyng in the kynges wages in the seid North parties by the seid xiiij dayes as by the seid boke of parcelles and a bill signed by my seid lord Capteyn apon this declaracion examyned it may appere,

—iiij^{m} ccxxix li. xvij s. iiij d.

George Darcy knyght.

Also for money delyverd to Sir George Darcy knyght ovyr and above his wages and the wages of his retynue apon reconyng with hym made apon his prestes as in the seid boke of parcelles apon this declaracion examyned it may appere,

—lvj s.

Rauff Evers knyght.

Also delyverd to Sir Rauff Evers knyght deputie of the towne and castell of Berwyke by the handes of George Lauson for ij moneth wages of cccx men beyng in a crew within the seid towne as in the seid boke of parcelles and a bill signed by the seid lord Capteyn apon this declaracion examyned it may appere,

—cccxxv li.

Money by hym avaunsed and payed for soundry causes concernyng the kynges army in the North partes by vertue of severall billes signed by the lord Capteyn Generall that is to say for—
Provision of vitayles.

Also payed to Johnne Brandelyng mayer of the towne of Newcastell for certeyn vitayles by hym provyded for to be conveyed to the foreseid ost and in goyng towardes the feld spoyled stollen and dystroyed as in the seid boke of parcelles and a bill signed by the seid Capteyn Generall apon this declaracion examyned it may appere,

—iiij^{xx}j li. v s. iij d.

Expens abowt the dede course of the kyng of Scottes.

Also payed for dyverse costes charges and expens had and susteyned aswell in seryng ledyng and sawdryng of the dede course of the kyng of Scottes, as also in carying and conveying of hym to York and so forth to Wyndsore as in the seid boke of parcelles and a bill signed by the seid lord Leiftenaunt apon this declaracion examyned it may appere,

—xij li. ix s. x d.

Rewardes.

Also payed to Christofer Clapham by wey of reward to be distributed amongest certeyn gentilmen to kepe holdes and pyles in Northhumberland by a bill signed by my seid lord Capteyn,

—xl li.

Also payed by wey of reward to the prior of the Austeyn Freers in Newcastell and to dyverse other persons by my seyd lord Capteyns commaundement for dyverse consideracions the seid lord movyng as in the seid boke of parcelles it may appere,

—xxv s.

Also payed to the auditour of this accompt aswell for the castyng provyng examynyng and truyng the boke of the particular parcelles of this declaracion as for the drawyng and clerre wrytyng of the same conteynyng xl paper leves and above,

—liij s. iiij d.

Conduyte money aftyr the feld.

Also payed to dyverse lordes knyghtes and gentylmen for the conduyte money of them and their retynnewes frome Berwyk aftyr the feld unto their dwellyng places every man takyng aftyr the rate of viij d. for every xx myle as in the seid boke of parcelles and a bill signed by my seyd lord Capteyn apon this declaracion examyned it may appere,

—lxx li. xv s. viij d.

Charges of the Ordynaunce.

Also payed to William Blakewall clerk of the kynges ordynaunce in the seid North parties aswell for the conduyte money and wages of gonners carters and other artificers attendyng apon the kynges seid ordynaunce as for cariage and provision of dyverse necessaries concernyng the same as in a boke and bill of the particuler parcelles and severall contentes signed by the seid lord Capteyn Generall and apon this declaracion examyned it may appere,

—dcccxlix li. xiij s. vij d. ob.

Expens abowt the Tresorey.

Also payed to the Abbot of Seynt Mary Abbey in York for iiij chestes to kepe in the kynges money by the seid Tresorer frome tyme to tyme avaunsed and payed and for cariage of the seid tresorre frome place to place with other costes charges and expens concernyng the same as in the seid boke of parcelles and a bill signed by the seid lord Capteyn apon this declaracion examyned it may appere,

—xij li. ix s. iiij d.

Conduyte money homeward.

Also payed to dyverse souldiours of my seid lord Capteyn Generall retynnew for their conduyte money frome Anwyke unto their dwellyng places in menyshyng and lesnyng his nomber every man rated aftyr x d. for every xx myle as by the boke of the particuler parcelles apon this declaracion examyned it may appere,

—cviij li. ix s. ij d.

Also payed in lykewise to certeyn other souldiours of my seid lordes retynew frome York unto their dwellyng places alway mynyshyng his nomber and dischargyng wages every man rated as aforeseid as in the seid boke of parcelles apon this declaracion examyned it may appere,

—xxxiiij li. xiij s. iiij d.

Also payed to dyverse knyghtes squyres gentilmen and yomen of the seid lordes retynue for the conduyte money of them and their servauntes frome Wyndsore aftyr the comyng home of the seid lord Capteyn unto their contrees and dwellyng places every man rated as is aforeseid as by the seid boke of the parcelles apon this declaracion examyned it may appere,

—vj li. xj s. iij d.

Wages of the lord Capteyn and his Retynew homeward.

Also payed by the seid Tresorer aswell for the wages and dietes of the seid lord Capteyn at c s. by the day, v capteyns yche of them at iiij s. by the day, v peticapteyns yche of them at ij s. by the day, j spere at xviij d. by the day, xlij demi launces yche of them at ix d. by the day, ccxl souldiours yche of them at viij d. by the day for x dayes endyng the xxiiijth day of Septembre the yere aforeseid, as also for lyke wages and dietes of the seid lord Capteyn, j spere, xxix demi launces and ciiij souldiours by other x dayes endyng the iiijth day of Octobre then next folowyng, and also for lyke wages and dietes of the seid lord Capteyn, j spere, xxvij demi launces and iiij^{xx} xvj souldiours for xx dayes endyng the xxiiijth day of Octobre next folowyng ever mynyssyng his nomber as afore is expressed, as in the seid bokes of parcelles and billes signed by the seid lord Capteyn apon this declaracion examyned it may appere,

clxj li. x s.*

iiij^{xx} xvj li. v s. x d.*

ciiij^{xx} v li. xv s.*

—ccccxliij li. x s. x d.

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* Entered in text, above the relevant items.

Also payed for the wages of the Marshall Tresorer and Maister of thordynaunce yche of them at vj s. viij d. by the day, the Tresorer Clerk, the Clerk Comptroller, the pursevaunt at armes and the servaunt at armes yche of them at ij s. by the day, the harold at armes at iiij s. by the day and vj trumppettes yche of them at xvj d. by the day for the fyrst x dayes aforeseid,—xx li. Also for lyke wages of the seid Tresorer Marshall and Maister of thordynaunce the Clerk Comptroller the Tresorers Clerk and the purcyvaunt at armes for the second x dayes,—xiij li. And for the wages of the seid officers of warres yche of them at ij s. by the day, the Tresorers Clerkes (*sic*) and purcevaunt at armes ether of them at ij s. by the day, and the Clerk Comptroller at ix d. by the day for the last xx dayes,—x li. xv s. in all as in the seid bokes of parcelles and bill signed by the seid lord Capteyn apon this declaracion examyned it may appere,

—xliij li. xv s.

Also payed to Sir Edward Gorge knyght Walter Storer (*lege*, Stoner) knyght Thomas Sporne Thomas Stydolf and dyverse other for their wages for certeyn ode dayes attendyng apon the seid lord Capteyn to York and ther discharged and hadd conduyte homeward as in the seid boke of parcelles and bill sighed by the seid lord Capteyn apon this declaracion examyned it may appere,

—vij li. iij s. v d.

—Summ of all the paymentes aforeseid,
—xvj^{m} dlxx li. xxj d. ob.

And yet remayneth in the handes of the seid Tresorer apon thend of this declaracion,
—ccxxix li. xviij s. ij d. ob.

The seid Tresorer requyreth allowaunce by wey of reward aswell for his attendaunce and William

Assheby his clerkes (*sic*) in paying the foreseid wages and other charges in the North parties as for their attendaunce apon the determynacion of this accompt that is to sey for hymself xiij li. vj s. viij d. and his seid clerk vj li. xiij s. iiij d. in all,

—xx li.

Hereafter ensueth suche sommes of money and parcelles of provysions and artillary as by the policie of the Duke of Norffolk were saved at the late iourney againste the Scottis:

SAVINGS DUE TO SURREY'S 'POLICIE'

Egerton 2603, f. 30.

Furste in sparyng the wages of xviii^{m} vi^{c} iiij^{xx} ix men by the space of xiiij dayes whiche ammounteth to the somme of . viij^{m} vij^{c} iiij^{xx} xviij li. xviij s. x d.

Item the sparing of cotes for every of the said persones every cote at iiij s. whiche ammounteth to the somme of . . iij^{m} vii^{c} xxxvii li. xvj s.

Item where there shuld have been to every c aforesaid a graunte captain and a petie captain there were in all the said nombre but xxvij graunte captains and xij petie captains. Whereby there is saved the wages of clix graunte captains and clxxv petie captains for the said xiiij dayes whieh ammounteth to the somme of . vi^{c} iiij^{xx} x li. iiij s.

Item saved by leving behinde hym at Awnewike v^{m} c xliij long bowes at ii s. a bowe ammounting to the somme of . d xiiij li. vi s.

Item left at Awnewike in arrowys iiii^{m} lv shef at xvi d. the sheff whiche ammounteth to the somme of . . . cc lxxli. vj s. viij d.

Item lefte at Awnewike in gonne powder iij last, dim. [=dimidium] and half a barell at liij s. iiij d. the barell whiche ammounteth to the somme of . . . c x li. vj s. viij d.

Item c xlv almayne revettes complete at xvj s. the hoole harnes . . sum c xvj li.

Item leftc at Awnewike in marespikes mm vj^{c} ij at v d. the pece whiche ammounteth to the some of . . . liiij li. iiij s. ii d.

Item in speres for dymye launces iiij^{xx} viij at ij s. the pece . . . . sum	viij li. xvj s.
Item in bowe stringes vj barelles every barel at xlvii s. x d. . . . Sum	xiiij li. vij s.
Item l fare carttes shod at xxxiij s. iiij d. the pece . . . . . Sum	iiij^{xx} iij li. vj s. viij d.
Item in thillers hors harnes, xlvi. . .	. .
Item in draughtes for horses, xxxiij. .	. .
Somme totall . .	xiiij^{m} ccc iiij^{xx} xviij li. xij s.
Item saved for xiiij dayes wages of the lorde admyralles retynue like as is saved by others abovesaid for xiiij dayes .	iiij^{c} xxxiij li. vj s. viii d.
Somme totall . .	xiiij^{m} dccc xxxi li. xviij s. viij d.

Memorandum: The xvij peces of ordonnans that were takyn on the fild ar weel worth 1700 mark and the value of the getyng of thaym from Scotland is to the kinges grace of muche more valew.

LORD CHANCELLOR GLAMIS AND THEODORE BEZA

By

GORDON DONALDSON, PH.D.

INTRODUCTION

THE regency of James, earl of Morton (1572-8) was a critical period in the history of the Scottish reformed church. It had not yet been possible to establish a system of church government which would at once meet the needs of ecclesiastical organisation and also solve problems affecting the civil constitution and the church endowments. Until 1567 the reformers had lacked crown support, and after that date there had been years of disturbance, resulting in a long delay in dispossessing holders of benefices who had not accepted the reformed faith. Morton himself saw clearly that the lack of a 'settled polity' had been 'partly through want of the allowance of the authority at the first reformation, and partly because the benefices of cure were of long time suffered to be possessed by persons repugnant to the [reformed] religion.'[1] The regent's own policy, not unaptly summed up by his critics as 'conformity with England,'[2] was what may be called the 'Anglican' policy, whereby the reformed church was to take over the old system of government with all its titles, dignities and benefices. In 1567 the reformers had secured the succession to the parochial benefices as they fell vacant; in 1572 they similarly secured the succession to the bishoprics; and a statute of 1573[3] at last made it possible

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[1] Wodrow Soc., *Miscellany*, i. 289-290; cf. *Acts of Parliaments of Scotland*, iii. 89.

[2] James Melville, *Diary* (Wodrow Soc.), pp. 45, 60; Calderwood, *History of the Kirk of Scotland*, iii. 394.

[3] *A.P.S.*, iii. 72.

to deprive beneficed men who would not conform and to appoint ministers in their places. These developments offered the reformed church the prospect of inheriting the entire ecclesiastical structure. Before the process could be completed it was interrupted through the arrival in Scotland (in 1574) of Andrew Melville, bringing with him what Morton called his 'conceits and oversea dreams, imitation of Geneva discipline and laws.'[1] From 1575 controversy over the lawfulness of episcopacy and the inviolable parity of ministers became acute. There was also raised the issue of ecclesiastical independence, centred largely round the position of the General Assembly. The Assembly had established its practice of regular meetings under a sovereign unsympathetic to the Reformation, and it was open to question whether it was proper that these meetings should continue, independently of the royal will, under a 'godly prince.' The functions of Assemblies, and of church courts generally, were also in dispute, and various attempts were made to define ecclesiastical jurisdiction.

John, eighth Lord Glamis, had been closely associated with the earl of Moray during his regency and was a regular attender at meetings of the privy council from December 1567. He was an extraordinary lord of session from 1570 until 1573, when he became chancellor. In that office he worked very closely with the Regent Morton, who was his first cousin once removed, but he was also on good terms with the General Assembly and even with Andrew Melville.[2] He evidently earned widespread respect for wise and moderate statemanship. About 1577 an English observer described him as 'a good protestant, and

[1] James Melville, *Diary*, p. 68 (cf. 54).

[2] The General Assembly lamented the death of Glamis (*Acts and Proceedings of the General Assemblies*, ii. 405), and Andrew Melville wrote an 'epigram' (Melville's *Diary*, p. 60 ; cf. Calderwood, iii. 397).

a favourer of the king ; he is holden very wise and discreet, wealthy, but of no party or favour.' [1] He was killed at Stirling in 1578 in a scuffle between his retainers and those of the earl of Crawford.

Apart from his position as chancellor and a leading supporter of Morton, Glamis had special reasons for concerning himself with the current ecclesiastical controversies, for he was a member of commissions on ecclesiastical polity in March 1575 and October 1576.[2] As a statesman, he saw clearly enough the implications, for the civil as well as the ecclesiastical constitution, of Melville's insistence on the parity of ministers and the independence of the General Assembly, and realised that difficulties would arise if the existing polity in the church should be hastily overthrown. At the same time he probably learned that the arguments from expediency which alone he could advance would carry no weight with the doctrinaire Melvillians, who took their stand on the divine right of 'parity' and the unlawfulness of episcopal government. Apparently in genuine doubt, Glamis decided to consult Theodore Beza, the Swiss theologian from whom Melville claimed to have derived his views and for whom, as Calvin's successor, Scottish protestants of all opinions had great regard, and to ask him for a clear ruling on some of the points at issue. The letter of Glamis is apparently extant only in a copy in the British Museum, from which it is now printed.[3]

No copy of the original Latin version of Beza's reply is known to survive. In 1580, however, it was translated and published in English as *The judgement of a most reverend and learned man from beyond the seas, concerning a threefold order of bishops : with a declaration of certaine other waightie*

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[1] *Calendar of State Papers relating to Scotland*, v. 253.

[2] *A.P.S.*, iii. 89 ; *Acts and Proceedings of the General Assemblies*, i. 365 ; cf. Spottiswoode, *History*, ii. 221.

[3] Additional MSS., 28,571, fols. 110-111.

points, concerning the discipline and governement of the church. The translator was John Field, who acted as a sort of secretary to the English presbyterian party led by Thomas Cartwright.[1] Field was in very close touch with Melville's followers in Scotland, and could easily have obtained a manuscript copy of Beza's reply to Glamis. Beza's work distinguishes three categories of bishops—of God, of man and of the devil—and was commonly referred to as his treatise *De triplici episcopatu.* The bishop of God, he argues, is simply the pastor or minister. The bishop of man is a pastor to whom is given certain power over his fellows (with safeguards against tyranny). Such an office, he was at pains to show, had no scriptural warrant, but was ' brought in of man, by little and little . . . a privy custom.' The bishop of the devil, again, ' sprouted forth of the corruption of the bishop brought in by man,' arrogated to himself sole authority over the clergy, invaded temporal dominion and wasted the patrimony of the church. Such bishops are the image of the beast and their hierarchy an anti-Christian primacy. After this general statement on episcopal government, Beza turns to the questions sent by Glamis. His answers are now printed following on the translation of each question.[2]

Beza's ' treatise ' achieved notoriety. John Whitgift, archbishop of Canterbury and strongest opponent of Cartwright, rebuked the writer because his ' book of a threefold episcopacy, sent to this island and not long after translated

[1] The Latin version may never have been printed. The British Museum catalogue classifies Field's book as a translation of an unidentified work by Beza. Richard Bancroft stated that Beza wrote ' the discourse of his three kinds of bishops . . . and sent it unto a man of great state in that country [Scotland] ' (*A survay of the pretended holy discipline* [1593], p. (50). It is perhaps significant that the ' treatise ' is referred to by contemporaries under various titles.

[2] Field's spelling and punctuation have been modernised.

into the English tongue, flying through the hands of many, set a new torch to the flame that was before almost quenched.' [1] James Melville testifies that when the work appeared in Scotland it 'did mikle guid.' [2] Dr. John Bridges, in *A defence of the government established in the Church of England* (1587), devotes nearly a hundred pages to answering Beza's work. Hadrian Saravia, another defender of the Anglican establishment, wrote an *Examen tractatus de episcopatuum triplici genere.* In his dedication, he states his view that 'Dominus Glamius' had sought from Beza not his advice (*consilium*) but rather his support (*suffragium*), and indicates that he had seen a copy of the letter of Glamis as well as of Beza's reply (*epistolarum autem ipsorum nactus exemplaria*). Elsewhere, Saravia wrote: 'I pass over what I have myself written . . . in my book *De diversis ministrorum gradibus* and in my defence against the answer of Mr. Beza, and more largely in my confutation of his book *De triplici genere episcoporum.* I cannot wonder enough at the Scotchmen, who could be persuaded to abolish and reject the state of bishops, by reasons so ill grounded, partly false, partly of no moment at all, and altogether unworthy a man of such fame. If the Scots had not more sought after the temporal means of bishops than after true reformation, never had Mr. Beza's book persuaded them to do what they have done.' [3]

To facilitate the preparation of the texts for publication, the Bodleian Library copy of *The judgement of a most reverend and learned man* was temporarily deposited in the National Library of Scotland, and while it was in Edinburgh negative photostats were made for preserva-

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[1] Strype, *Whitgift* (1822), ii. 166.

[2] *Diary*, p. 55.

[3] Saravia, *De ministrorum gradibus* (1840), pp. xxiii-xxiv.; Hooker, *Works* (1883), i. 75 *n.*

tion in the University Library. I have to thank Bodley's Librarian for his ready consent to lend the book and the staffs of the National Library and the University Library for their help in arranging the loan and making the photostats. G. D.

LETTER OF GLAMIS TO BEZA

Clarissimo viro D. Theodoro Bezae.

Cupieram iam pridem ad te vir clarissime scribere teque variis de rebus quae apud nos in quaestionem vocantur consulere, partim ecclesiae vestrae Genevensis in religione et doctrina consensione motus, praecipue autem nominis ac eruditionis tuae quam opera tua pie et erudite summa cum ecclesiae utilitate in lucem aedita abunde testantur fama et celebritate impulsus, verum quod maxime volui hactenus propter locorum intervalla et turbulentum nostrae regionis et ecclesiae statum facere non potui; et nunc illud exequendi occasionem eamque commodissimam mihi iam tandem oblatam esse plurimum gaudeo. Venit enim ad nos et optimus et eruditus meo iudicio Claudius Colladonius[1] Genevensis, tibi (ut ex Johanne Scringero[2] satis intellexi) bene notus et familiaris, quem de statu vestrarum ecclesiarum diligenter consului quantum quidem per temporis brevitatem quo apud nos vixit et occupationes meas quibus interea distinebar licuit. Ecclesias autem vestras tam bene pieque constitutas esse in ipsis persecutionum fluctibus et evangelium Christi libere et sine pharisaico fermento praedicari vobiscum ex animo laetamur, simulque hanc faelicitatem ut solida et constans sit Deum optimum maximum ecclesiae suae custodem et vindicem oramus. Doctrinam quidem de filio Dei vobiscum eandem retinemus

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[1] Claude Colladon was a member of a well-known Genevan family. Son of the more famous Germain (1509-94), he was a member of the council of the two hundred in 1579, councillor and secretary of the Prince de Condé in 1583 and councillor of Henry IV. in 1595 (*Historisch-Biographisches Lexikon der Schweiz*).

[2] 'Scringer' is likely to be a version of Scrymgeour. I have not traced the John here mentioned. Henry Scrymgeour (*d.* 1572), professor of Civil Law at Geneva, left no son; his sister married Andrew Melville's elder brother and was the mother of James, the diarist.

et profitemur adeo ut tametsi caeterae regiones et ecclesiae in hac extrema mundi senecta opinionum quasi monstris turbentur, nos tamen singulari dei optimi maximi beneficio in doctrina adeo consentimus ut nulli inveniantur qui eam oppugnare vel velint vel audeant. At in disciplina et politia, in qua viri alioqui pii et de universis religionis capitibus recte sentientes nonnunquam dissentire deprehenduntur, nondum satis inter nos convenit. Nam una cum papistica superstitione disciplina aliquandiu a maioribus nostris usurpata ante annos aliquot sublata est. In eius autem locum nulla commoda honestaque ecclesiae regendae ratio adhuc subrogari potuit, praesertim cum principes nostri vel a vera religione fuerint alieni vel cum recte de praecipuis Christianae fidei articulis sentire caeperunt bellis tamen civilibus impediti eam in rem prout voluerunt incumbere non potuerint. Nunc autem ab omnibus prioribus illis impedimentis liberi, et pacem et talem regem nacti (cuius egregia indoles et in vera religione educatio tantum nobis promittunt quantum a quopiam in ea aetate expectari possit), de disciplina aliqua ecclesiastica constituenda laboramus. Maxime vero cum illius tutor et dominus prorex universaque nobilitas et regni (ut vocant) ordines eam in partem diligenter incumbant verum quum de singulis disciplinae capitibus paulo diligentius inquirimus evenit ut multa nobis obiiciantur de quibus nonnihil dubitamus, etsi bene sperem mihique ipse persuadeam nos in ea re non minus quam in religione consensuros. Sed quum intelligam ex librorum tuorum [*sic*], quos summa cum voluptate lego et admiror, et eruditorum ac piorum literis et sermone singularem tuam pietatem summa cum eruditione et humanitate coniunctam praetermittere non potui quin hoc praesertim tempore hisce de rebus ad te scriberem. Quamvis autem multa sint de quibus tuam mentem et sententiam requirerem, quaedam tamen eaque praecipua tibi referam, ne nimia longitudine aut orationis prolixitate tibi variis ecclesiae negotiis occupatissimo esse videar molestus.

1. Quum in singulis ecclesiis singuli pastores ac ministri constituti fuerint quumque par et aequalis omnium in

ecclesia Christi ministrorum potestas videatur, quaeritur sitne episcoporum munus in ecclesia necessarium, qui ministros quum res postulabit ad comitia vocari, ad ministerium admitti et iustis de causis ab officio removeri curabunt; an potius omnes ministri aequali potestate fungentes nulliusque superioris episcopi imperio obnoxii viros idoneos in doctrina cum consensu patroni ius patronatus habentis et ipsius populi eligere, corrigere, et ab officio removere debeant. Ut autem retineantur eiusmodi episcopi movere nos duo possunt: unum populi ipsius mores et contumacia qui vix ac ne vix quidem in officio contineri potest nisi eiusmodi episcoporum qui universas ecclesias percurrant[1] et invisant authoritate coerceatur; alterum leges regni longo usu et inveterata consuetudine receptae ut quoties de rebus ad reipublicae salutem pertinentibus ex publicis regni comitiis agitur nihil sine episcopis constitui potest, quum ipsi tertium ordinem et regni statum efficiant, quem aut mutare aut prorsus tollere reipublicae admodum esset periculosum.

2. Post reformatam religionem consuetudine receptum est ut episcopi et ex ministris pastoribus senioribus tot quot iidem episcopi iusserint unum in locum conveniant cum praecipuis baronibus et nobilibus religionem veram profitentibus et de doctrina et de moribus inquisituri. Nunc vero, quum princeps verae religionis studiosus sit, quaeritur an eiusmodi conventus cogi possint sine iussu vel consensu principis, an solis ministris convenire liceat quoties voluerint, an denique nobilibus aliisque pietatis studiosis et senioribus qui apud nos quotannis ex populo atque adeo ex ipsa nobilitate eliguntur sine mandato regis ad eiusmodi comitia venire liceat et expediat. Quandoquidem nobilium et laicorum conventus aliis videtur sub principe pio non necessarius, quum sola consuetudine nulla vero certa lege sub principe religionem impugnante paucos ante annos receptus fuerit, quo plus authoritatis eiusmodi comitia haberent; quum praeterea periculosum videatur ne si nobiles tam frequentes et frequenter sine consensu regis

[1] *MS. reads* procurrant. *Field's translation has* 'run through.'

conveniant aliis de rebus quam ad religionem pertinentibus aliquando deliberent. Alii vero nullo modo reiiciendos arbitrantur quin potius valde necessarius videtur hic conventus ut nimirum nobiles religionem omni studio et conatu promoventes in comitiis tanquam παραστάται et adiutores ministris adsint ac de ipsorum vita moribus populi et id genus aliis testimonium perhibeant. Alioquin futurum si princeps parum pius postea regnaverit ut neque ministri tuto convenire neque decreta sua executioni mandare sine nobilium consensu et auxilio possint.

3. A quo, hoc est a rege an ab episcopis, eiusmodi comitia ecclesiastica cogi et quum coguntur quibus de rebus leges ferre possunt ?

4. Debeantne excommunicari papistae eodem modo quo apostatae an vero leviori paena puniendi sint ?

5. Quibus de causis aliquem excommunicare liceat ? Verbi gratia : si quis homicidium patrarit asserens se id vel necessitate vel vim vi repellendo fecisse (eaque de re paratus est iudicium subire neque adhuc a rege aut occisi proximo quovis accusatur) licetne ecclesiae de homicidio inquirere, sitne dolo malo an casu vel necessitate factum, et homicidam cogere ut secundum delicti qualitatem publicam in ecclesia paenitentiam in sacco et cinere agat aut recusantem excommunicatione faeriat eique aqua et igni interdicat ?

6. Quum superiori saeculo magnae facultates eleemosinae nomine [1] a principibus aliisque multis concessae sive episcopis monasteriis et huiusmodi quumque tantae opes videantur potius obesse quam prodesse episcopis et monasteria in republica et ecclesia sint inutilia ; quaeritur quid de eiusmodi bonis, quae semel ecclesiae consecratae fuerunt, fieri debeat. Nam quum episcopi et ministri ex decimis satis habeant unde commode et honeste vivere possint, an princeps potest cum consensu statuum regni reliquam partem inferre ut vel in suos vel in publicos usus convertere illi liberum sit, praesertim cum eiusmodi bona non tam in decimis quam in praediis rusticis aut urbanis consistant.

[1] *MS. reads* nomina.

Quaequidem quaestio quum potius civilis quam ecclesiastica esse videatur, constitueram tibi hac in re non esse molestus, sed quia complures pii ac eruditi apud nos existimant has res quae semel piis usibus destinatae fuerunt non posse in profanos usus etiam publicos conferri, non potui hoc quoque argumentum silentio apud te praeterire.

Haec sunt, vir clarissime, quae hoc tempore mihi in mentem venerunt et de quibus te in huiusmodi disputationibus optime exercitatum consulere volui. Etsi autem sum tibi vel ipso fortassis nomine ignotus, tamen quum eiusdem corporis sumus membra nosque eadem religio in Christo coniungat, me rem neque ab hominis Christiani officio alienam neque tibi viro humanissimo ingratam facturam [*sic*] existimavi si de ecclesiarum nostrarum statu constituendo et de nonnullis capitibus quae apud nos eontrovertuntur paucis ad te scriberem. Quod si audacius apud te, virum alioquin maxime occupatum, fecisse videar, id totum humanitati tuae et purae religionis propagandae studio utrique nostrum divinitus concesso acceptum feries. Si autem hasce meas primitias lubenter susceperis mihique quum per occupationes licet responderis, te rem ecclesiis nostris summe necessariam et longe mihi gratissimam facturam [*sic*] intelliges. Caetera ex Colladonio, cuius ingenium et mores quum nobis omnibus valde placuerint tibi commendarem nisi vobis quam optime notum esse intelligerem. Dominus Jesus te suo spiritu fortitudinis et constantiae adversus omnium hostium insultus et impiorum malitiam muniat, et nobis ac ecclesiis quam diutissime incolumem conservat. 13 Calend. Maii. 1578.[1]

Tuo obsequio paratissimus,

GLAMIUS.

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[1] The date, as given in the MS., must be wrong. Lord Glamis, the Chancellor, to whom contemporaries unanimously attribute the letter, died on 17th March 1577-8 and was succeeded by an infant son. Internal evidence shows that the letter was written during Morton's regency, which ended on 12th March 1577-8. James Melville (*Diary*, p. 55) attributes the letter to April 1576, which seems a likely date. There are some obvious scribal errors in the MS., and the final figure of the year may be wrong. 'Maii' might be an error for 'Martii,' but the date would then be 17th February 1578-9.

Translation, with Beza's Answers

To the most illustrious D.[1] Theodore Beza.

I had already been long desirous, most illustrious sir, to write to you and to ask your advice on various matters which are called in question among us, partly prompted by the agreement of your church of Geneva with ours in faith and doctrine but especially impelled by the credit and renown of your reputation for that scholarship which is abundantly attested by your works, published with godliness and learning to the utmost profit of the church ; yet I have not hitherto been able to fulfil my great desire, because of the long distance between us and the disturbed condition of our country and our church. Now I greatly rejoice that a most convenient opportunity of carrying out my intention has at last been offered to me. For we have had a visit from Claude Colladon, a Genevan in my judgment worthy and learned, well known to you personally (as I was fully assured by John Scringer) ; from him I made careful enquiry about the condition of your churches, so far at least as was possible considering the shortness of his stay among us and the affairs which meantime preoccupied me. We rejoice from our hearts that your churches are established so firmly and soundly in the very midst of persecution and that the gospel of Christ is preached among you freely and without the leaven of hypocrisy ; and at the same time we implore Almighty God, the keeper and champion of His church, that this happy state of affairs may be stable and enduring. We do indeed hold and profess with you the same doctrine concerning the Son of God, so that, although other countries and churches are, in these latter days, troubled by almost unnatural opinions, yet we, by the special grace of Almighty God, so agree in doctrine that none may be found who would wish or dare to attack it. On the other hand, adequate agreement has not yet been reached among us on matters of government and constitution, on which men otherwise devout and right-minded on all points of religion are sometimes found to differ. For the form of government which for some time was practised by our ancestors was overthrown some years ago along with the popish superstition and in its place it has not hitherto been possible to substitute a convenient and fitting form of church government, particularly because our sovereigns either were hostile to the true faith or, after they had begun to accept the chief points of Christian doctrine, were yet hindered by internal

[1] ' D.' represents ' Dominus,' any translation of which would be misleading.

strife from being able to pay attention to the matter as they wished. Now, however, we are free from all those earlier hindrances; we have secured peace and enjoy the rule of a king whose outstanding ability and upbringing in the true faith promise us as much as could be looked for from anyone of his age; and we are striving to establish some ecclesiastical constitution. Actually the king's tutor and regent, with the whole nobility and the estates of the realm (as they are styled) are giving their careful attention to the matter, but when we make somewhat more careful enquiry with regard to each point of government it happens that many matters come before us on which there is considerable uncertainty, although I had high hopes, and even have conviction, that we shall agree in that matter not less than in our doctrine. As I learn from what you have written in your books, which I read with the utmost pleasure and admiration, and from the letters and conversation of learned and devout men, of your extraordinary godliness, joined with learning and generosity, I could not fail, especially at this time, to write to you on these matters. Although there be many points on which I should ask for your views and judgment, I shall refer to you only the most important, lest by excessive length or tediousness of words I seem troublesome to you, fully occupied as you are with diverse church affairs.

1. Since a pastor and minister is appointed in each congregation, and since the power of all ministers in the church of Christ seems to be equal and identical, it is asked whether it be necessary in the church to have the office of bishops, who will be responsible for summoning the ministers to synods when circumstances demand it, for admitting to the ministry and for removing from office for just causes; or whether all ministers, enjoying equal power and not subject to the authority of any bishop as superior, ought, with the consent of the patron (having the right of presentation) and of the people themselves, to choose men suitable in religion, to discipline them and to remove them from office. Two considerations can move us to the retention of bishops: one is the character and unruliness of the people, who can only with difficulty, if indeed at all, be retained in their duty unless constrained by the authority of bishops, who visit and inspect all the churches; the other is the laws of the realm, accepted by long established use and lasting custom, which provide that whenever there is deliberation in the public assemblies of the kingdom about matters concerning the safety of the state nothing can be settled without the bishops, since they form one of the three orders and estates of the realm, to alter or wholly uproot which would be most perilous to the commonwealth.

Answer

Whereas Satan's bishop hath been the overthrow of the church and all Christian kingdoms whose head is the Roman Antichrist, it is to be looked unto of all hands, especially of all godly princes, that they at once abolish it, if they mind the reformation of the church and their own safety. As for the bishop ordained by man, and brought into the church by little and little, whereby Satan made him a way for greater things, it had been tolerable, so that with all the ancient good laws providing for the resisting of the governing by some few had been in their former force again. But, besides that the state of the world being quite changed, experience of so many ages doth teach us too well that, unless this root also be plucked up, it will come to pass that the same fruit will sprout and bud forth again. Finally, seeing the Lord hath so often decided this controversy of superiority among his own disciples, that he shut it clean out, seeing the rule both for doctrine and good order of the church is to be sought for out of the very writings of the apostles: and it is manifested the churches then prospered, when all this authority of one man over the rest yet was not; but as that grew up, so all things fell to decay. Finally, seeing where the remnants of this government by a few are not clean taken away the work of the Lord is openly hindered, our judgment is that after the chasing away of this device of man the churches shall be well provided for if they may be repaired according to the writings of the apostles.

And the reformation, as it seemeth to us, consisteth herein, that first the whole kingdom is to be divided into regions. Again, the regions into parishes, either of cities or country towns: that in places most fit, and of greatest assembly, be placed pastors, being lawfully propounded by the company of their own elders to the king's Christian majesty, or the deputies thereof, and allowed of all. Lastly, being received of their own people, over whom they are to be set, they be placed, promulgation having gone before; and that in every parish the pastor may have with him fit men to assist him, who also may, being

watchful, salve up the offences not so weighty, leaving the other of greater importance to the whole eldership. Also, that eldership, made of the pastors of parishes, both of city and country, and a sufficient number of men approved for their godliness and wisdom, lawfully also chosen as is aforesaid, be placed in most fit places, who, assembling at a certain time and place, may determine of the church affairs, of their own government, according to the prescript laws first set down in a general council and afterwards confirmed by the authority of the sovereign majesty.

In this company let there be chosen by common voices one first in order—not superior in authority—who shall be thought most fit, and that without making choice of any certain place, and but for a certain time. After the expiring whereof, either let another be chosen or else the same man is to be established again for another time by a new consent; whose office is to make report of the common affairs to the company, to demand their judgments and to give sentence by the judgment of the eldership, having no authority given him over his fellows, to whom rather he is most subject. In this assembly let nothing be debated of besides matters of conscience, and that by the word of God and the laws of church discipline established, drawn out of the word of God, not one whit meddling with the authority of the civil magistrate. And let the sovereign majesty and the lawful magistrate thereby appointed be keepers of this order and the punisher[s] of those that seditiously rage against it.

But if any shall imagine that this sudden abolishing of both these bishops will minister occasion of new stirs (although we sec not with what conscience the bishops may so challenge to themselves the goods of the church, or else call themselves bishops, and live like princes of this world), yet for to keep the common peace the sovereign majesty may leave unto them which are now bishops their revenues whole for their life time, so they trouble not the well-made order of the church, with providing there bc none chosen into their place when they be dead. As for the frowardness of the people, it may be kept down better

a great deal by other reins than by the authority of a false named bishop; as by preaching of the word of God, by censures of the church and the authority of the magistrate of the country, against the open trouble[r]s of the public state, either ecclesiastical or civil. The churches may very well be visited at set times, without any great cost and bishoplike pride, by them whom every eldership hath chosen under the king's majesty's authority—which will not be always necessary, if the elders do rightly execute their office.

This sitting of the bishops with the authority of the voice in the public estates of the kingdom came in with a manifest abuse, contrary to the Word, and therefore in our mind is to be utterly abolished; for the bishop hath nothing to do in ordering of mere civil affairs. Yet forasmuch as in such assemblies especially some things many times happen belonging to the establishing of the estate and order of the churches—the keepers whereof the godly magistrates ought to be, and not the over-turners, as we are taught by the example of holy kings—it is very necessary that as often as the meetings of the land are proclaimed intelligence thereof be given to the chief elders, who may be present in the behalf of their seignories; yet not sitting as judges, but dealing about matters of the church only with the estates of the land, as their elderships have given them in charge—except the states think good, upon extraordinary occasion, that they ask counsel of God about some other affairs also. If also the king's majesty think good to admit into counsel, amongst the pastors or elders, one who shall be thought to be wise and experienced in things, he may admit him, though not as a pastor or elder, yet as a citizen. And it were injurious to remove from their office in the church, the pastors, and much less the elders and deacons, otherwise laymen from that degree which they hold as citizens, either in the commonwealth, or in the assemblies. But the king's majesty, and all the princes and lords, are to be exceeding wary that they make not courtlike governors of their pastors, to the great endamaging of the church, as we have a fair example in

Eusebius of Nicomedia in the court of Constantine. As for the right of the patronage, lest some man should say that it was gotten for himself, our judgment is that it may be concealed [*sc.* conceded], but not without some conditions: namely, that he which shall be chosen by the free voices of the eldership should be offered by the patrons to the king's majesty, being also to set upon his charge after the consenting of his flock.

2. After the Reformation it became the accepted custom that the bishops and as many of the ministers, pastors and elders as the bishops commanded should assemble in one place with the notable barons and nobles professing the true religion, to investigate matters of both faith and morals. Now, however, when the sovereign is careful of the true religion, it is asked whether assemblies of this kind can be summoned without his order or consent, or whether it is permissible for the ministers alone to assemble as often as they wish, or, finally, whether it is lawful and expedient for nobles and others given to devotion, and the elders who are chosen among us yearly from the people and also from the nobility, to come to such assemblies without the king's command. A gathering of nobles and laity seems to some to be unnecessary under a godly prince, because it was accepted a few years ago, by custom alone and not by any particular law, under a sovereign hostile to the faith, whereby such assemblies might have more authority; and, moreover, there may seem a danger that the nobles, gathering so often and in such large numbers without the king's consent, should sometimes deliberate on matters other than those concerning religion. Others again think that they should not be rejected, but rather that this assembly seems decidedly necessary to wit that the nobles, advancing the faith with all zeal and effort, may be present in assemblies as assisters and helpers to the ministers and bear witness to others with regard to their own life, the morals of the people, and so on. Otherwise it will come about, if a prince not attached to the faith should ascend the throne in the future, that the ministers may not be able to assemble in safety or have their decisions enforced without the consent and help of the nobles.

Answer

Councils are necessary in the church for many causes, both to the retaining of agreement and also to the seeking

of remedies by common advice for the dangers which fall out; and, last of all, to take order for those that rest not in the judgment of particular seignories, if they think they have any injury done them. And these councils are either of a whole nation, or of some one region or province (or diocese, as they have begun to speak, after the description of the provinces of Rome), divided into many seignories.

It is necessary that the councils of the provinces be divided for many causes, and, except there be other urgent causes, they would be appointed rather every half year than quarterly, lest in the discoursing of matters they spend the time in vain. And it will be best for the avoiding of ambition that the council be not always assembled in the same place of every province: but as soon as one half year's synod is discussed it may be determined by common consent where shall be the place of the next following. It will be very well that two of every seignory of the province, chosen by common voices, and sent with some commission, be present at these councils: one a pastor and the other an elder or a deacon. Neither would we have any strife about sitting, who should sit first or last, but every one to sit as it shall fall out, without any contention, and the judgment to be given as any one shall sit.

Now, he that shall govern the whole action, who was chosen for this one thing by common consent of voice, the chief pastor of the place being in the beginning president, which office shall end when the council shall be ended. There are no matters in question to be propounded to these councils to take knowledge of, but such as are more spiritual and belong to that province, where they are to be decided without appeal by the word of God and the rules there set down, without any brabling or disturbance of the company. Yet if any great private controversy shall fall out in the provincial synod, where some may think that he hath cause to complain of injury done unto him, he may put up his complaint to be decided in a general council, when it shall be thought good to assemble it.

Furthermore it is chiefly required that if all the laws of

the church be established of the king's Christian majesty, it followeth that the councils are to be assembled by his commandment and direction and not otherwise. Neither yet is there a new commission every time to be sought for of the king for that purpose, seeing his majesty hath once established a law touching the set times of ordinary synods. But yet if there arise just cause of suspicion of handling in these meetings other matters besides mere ecclesiastical, it shall be safe for the king's majesty to send one of his subjects, whom he will, to disgrace [*sic*] by his presence the meeting of the synods ; where yet he is not to be as a judge, except some thing fall out where it is necessary that the authority of the civil magistrate be put between.

A general council of the land is not to be assembled but upon great causes, which seeing they agree not with set times it followeth that they are not to be standing neither ; but as often as some thing shall seem to fall out of so great weight, either in doctrine or in government of the church, as cannot well be decided but in a general meeting, that province is to be careful to put other provinces in mind concerning that matter, in these half year's synods ; that with the consent of all, or the greater part, they go unto the king's majesty, who (as being a Christian prince, is to desire nothing more than the peace of the churches) ought without any stay or doubting, at the suit of the churches, to appoint a place and time for a general meeting, as the need of the churches shall require. And the same order may seem to be kept in the general councils which is in the provincial, whether before the king's majesty himself, as in some general councils the emperors of Rome have been present, or before the honourable lords of the king's majesty. And last of all, whatsoever shall be allowed by the common consent of the synod shall be confirmed by the king's majesty's express authority, after the example of the godly emperors.

3. By whom, that is by the king or the bishops, can such church assemblies be summoned and, when they are summoned, on what matters can they legislate ?

Answer

We have answered the first part of this question already. To the second we answer :—First, it is not lawful, no not for the angels themselves, to make any laws for the conscience, but the church is to be upholden by those which the Lord hath enacted, seeing we are now to look for no new revelation, the whole counsel of God touching our salvation being fully and perfectly made manifest. Our judgment also is that the discipline or good order is to be sought for out of the word of God and to be kept inviolable, as the second part of Christian doctrine. Yet there remaineth two things, whereof there may, yea and there ought, to be laws set down in the church. For, first of all, whereas everything is not expressly and in so many words set down in the writings of the prophets and apostles, therefore in controversies both concerning doctrine and the substance of church discipline the council ought to comprehend the deciding of them in unfallible and plain heads, as by certain rules, like as it was done profitably in those right approved councils both oecumenie [*sic*] and particulars, against the blasphemy of the heretics and the malapertness of the disordered. And whereas there come many questions in the seignories, especially when there is dealing about marriages, though there cannot be certain rules set down touching them out of the word of God, yet, so near as may be, rules drawn out of the comparing of the scriptures are to be set down, after which they may be decided, yet is neither anything taken from the word of God by the putting to of this, so it be rightly done. But this is rather an interpretation of the word of God, and a declaring how one followeth upon another. Again, where the substance both of doctrine and ecclesiastical discipline abideth whole and unchangeable, yet must the outward circumstances of the order need be changed, for the same reason of the person and places abideth not always. For we see the apostles' love feasts taken away, and the decrees touching blood and that which was strangled. The governors of the church are to provide also that all may

have intelligence at what time and place it is expedient for anything to be done in the church: yet so as the doctrine itself, under which we also comprehend the ordaining of the sacraments, abide whole as God hath set it down. Further, that in setting down the laws of this order there be set down nothing foolish or unprofitable, much less any of the old customs retained which either is already stained with superstition or which may easily make a way to superstition. Lastly, that in all these there be a great regard of simplicity, and that the church be not loaded with a multitude of rules.

And for avoiding of the diversity of rites it is necessary that these canons, as in old time they called them, be set down in their general councils, that anything in the same land may be changed according to the time. But whatsoever shall be set down in those councils is to be established by the authority of the king's Christian majesty, as, next after God, the keeper and defender of the churches.

4. Ought papists to be excommunicated in the same way as apostates, or are they to be punished with a lighter penalty?

Answer

We see not what sword of excommunication may be drawn out against those men who, though they were set into the church by no vain baptism, yet never entered into the fellowship of the pure church. Yea, the doors are always to stand open that they may come to hear the word of God, and they are carefully to be allured thither, if at any time (as the apostle saith) they may repent and get out of the snare of the devil, of whom they are holden captive. But if any shall be thought to sin in an open contempt, our judgment is that it ought wholly to be put over to the Christian magistrate. We think that it beseemeth a Christian magistrate to deal much by lenity in the matter of religion towards his subjects, not being troublesome sectaries and such as of knowledge blaspheme.

5. For what causes may it be permissible to excommunicate anyone? For instance, if anyone has committed murder, alleging that he had done it by necessity or in self-defence (being ready to undergo trial on the matter and not being already accused by the king or by any neighbour of the deceased), is it permissible for the church to investigate the murder—whether it has been by evil guile, chance or necessity—and to summon the murderer so that he may do public penance in church in sackcloth and ashes according to the degree of the offence or, on his refusal, strike him with excommunication and forbid him fire and water?

Answer

No man earnestly repenting is to be excommunicate, but after repentance rather ought to be received. And the cause of excommunication ought to be most weighty and a public offence, seeing that only the extremity of the diseases must have extreme remedies. Yet may such men, after the thing be known, be suspended from receiving the Lord's Supper (they were wont to call such men restrained), for whom this is thought to be a necessary remedy, that for the greatness of their offence they may be an example to others, or that their repentance doth stand in need of trial. As for the present question:—If the magistrate, put in mind of his duty, do wink at such faults, and yet it be probable that none is rashly accused, we think that the eldership may call him forth, and there, as the matter shall require, to exhort him to the acknowledging of the offence; which if ye shall deny, he is to be left to the judgment of God, neither are the elders to proceed any further in the hearing of witnesses.

6. Since in earlier times great riches, under the name of alms, have been granted by the kings and many others to bishops, monasteries and such like, and since such wealth seems rather a hindrance than an advantage to bishops, while monasteries are useless in the state and in the church, it is asked what should be done with such goods, which once were dedicated to the church. For, as bishops and ministers have enough from the teinds on which to live comfortably and honourably, it is asked whether the sovereign, with consent of the estates of the realm, can appropriate the remainder so that he be free to

convert it into his own or the public use, especially as such goods do not consist only of teinds but also of lands in the country or the towns. This question may seem to be rather a civil than an ecclesiastical one, and I had decided not to trouble you with it, but as many godly and learned men among us think that goods once allotted to pious uses cannot be granted to secular uses, even those of the nation, I have been unable to pass over this question in silence in consulting you.

Answer

Concerning the goods of the church :—First of all we suppose great heed ought to be taken that none do stain himself with handling the church goods. For if God hath taken revenge of such sacrileges even amongst the very idolators, what trow we will his judgment be against them which have spoiled his churches and have profaned the things which were set apart for his true worship ?

Moreover, it is evident that this turneth greatly to the reproach of the name of God and of his holy gospel, as though, forsooth, papistry hath been abandoned not for the love of the truth but to rob the church of her goods, and as though new thieves have entered in the room of the old. Now, even as abundance doth overwhelm the church, so it is to be feared lest she be brought into great straits by want, whilst many nowadays are no less sparing and niggardly in upholding the true ministry than heretofore kings and princes themselves have been overlavishing : we think it needful to keep a mean in this point, which so we take will be the best, if first a view be taken of the daily expenses which are necessary to be made, than if somewhat be laid up for so many things extraordinary, whereas no just reckoning can be made, and both of these be accounted not sparingly or slenderly, but bountifully and liberally, seeing that the church by the goodness of God hath plenty. Therefore that number is to be made of parishes and pastors which may very well suffice the people, and every one is to have an honest living allowed. Order also is to be taken for the elders, who are to assist the pastors that they may conveniently discharge their duty. It would be also injurious that the widows and children of the

pastors which are dead should be brought to beggary, who, in a care of their calling, were constrained to lay aside the care of providing for their family. Schools also and universities, seeing they are the seminary of the church, are not the least part of the care thereof. Care also is to be had of alms houses and hospitals, and of churches, that they be kept in reparations and new builded if need require. Last of all (as I say before), seeing the churches have plenty, order must be taken what shall be brought into the church treasury yearly, from whence may be fetched that which may suffice in time of war or famine, lest then it be to seek when it should be in a readiness. When all these things shall faithfully and frankly be brought by supputation into one sum still yearly, good and sufficient men are to take order for their collecting such a way as shall be without trouble or strife. That which shall be found to be overplus is not to be lavished out with other public revenues, but to be laid up by itself (for these are of another nature, though not always gotten after the honestest sort by the covetous priests), and we think that it may be taken and bestowed for the service of the kingdom, when the public necessity thereof doth require it, especially if the people be so much the more eased.

These, most illustrious sir, are the matters which have come into my mind at this time and about which I wished to consult you, who are most practised in arguments of this kind. Although I am not known to you, perhaps even by name, yet we are members of the same body and are joined in Christ by one faith and I considered that I would be doing a thing not foreign to the duty of a Christian or displeasing to you, a most courteous man, if I wrote to you briefly about the settlement of our church affairs and about certain topics in dispute among us. If I should seem to have acted rashly in approaching you, who are otherwise much occupied, you may attribute it all to your generosity and to the zeal for the advancement of the pure faith which God has granted to each of us. If, however, you receive this essay gladly and reply to me when your other business allows, you know that you will be doing something most needful for our churches and most pleasing to me. The rest you will learn from Colladon, whose intelligence and character, since they were most acceptable to all of us here,

I should commend to you were I not certain that he is already very well known in Geneva. The Lord Jesus defend you by his spirit of strength and perseverance against the attacks of all enemies and the malice of the wicked, and preserve you safe to us and the churches as long as possible. 19 April 1578.

Most ready for your service,

GLAMIS.

DOCUMENTS RELATING TO PRINCE CHARLES EDWARD'S GRANDSON

Edited by

HENRIETTA TAYLER

INTRODUCTION

THE subject of these papers is the son of Prince Charles Edward Stuart's only known child, Charlotte ; the Prince himself repeatedly said and wrote that she was his only one. She was, of course, illegitimate, being the daughter of his mistress, Clementina Walkinshaw, and was born at Liège in 1753. Her son was also born out of wedlock, his father being Ferdinand de Rohan, Archbishop of Bordeaux and afterwards of Cambrai. Proofs of this statement can now be given, and the personal papers of the grandson himself, once in this country, are now in America, the owner of these, Professor George Sherman of Cambridge, Mass., intending to write a full biography as soon as his present work allows.

Of the two previous lives of Charlotte, that by Major Skeet [1] was written in ignorance of the existence of Charlotte's numerous letters to her mother, which alone throw light on the latter part of her life, after she joined her father in Italy in 1784, and on her little family.

Lady Tweedsmuir's charming sketch of Charlotte, entitled the *Funeral March of a Marionette*,[2] does touch on these letters (now in the Bodleian Library, forming part of the North papers) of which there are 350, but she had not made a detailed study of them, and says herself that the references scattered throughout them to Charlotte's

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[1] F. J. A. Skeet : *Life and Letters of H.R.H. Charlotte Stuart, Duchess of Albany* (1932).

[2] Susan C. Buchan (Lady Tweedsmuir) : *Funeral March of a Marionette* (1935).

mysterious ' *ami* ' form one of the puzzles of history, which may one day be solved.[1] This has now been done, with the aid of the papers at present in America, to which reference is kindly allowed, and with that of the extracts here printed from the Hardwicke Papers in the British Museum (Add. MSS. British Museum, 35,622, ff. 118, 121).

Prince Charles Edward's grandson was, apparently, always acknowledged privately by his grandmother, Clementina Walkinshaw, though he was unknown to the grandfather. He aroused far less interest in his lifetime and after his death than did those two arrant ' pretenders,' John Hay Allen and Charles Manning Allen, who called themselves Sobieski Stuarts and created a legend that they were the sons of a mysterious infant born to Prince Charles' wife, Louise of Stolberg, and hurried away from Italy in the charge of Captain, afterwards Admiral, Allen who brought it up as his own son. It is hard to see how such a story gained any credence. If Charles and Louise had had a child they would have undoubtedly have published the fact to the world. That was the whole purpose of their marriage and of the French support of it, pecuniary and otherwise, since Louis XV., who died in 1774, and the French Government always desired ardently that there should be a Stuart heir, as a perpetual thorn in the side of the reigning house of Britain. But Louise never bore a child then nor afterwards. She told Napoleon long after, in answer to his question, that she had never done so, and even Royalty did not lie to the first Emperor of the French.

Charles, however, had a child by Clementina Walkinshaw, well known and always acknowledged by him, Charlotte, the ' Pouponne ' of the letters of her youth and later Duchess of Albany. But of her children, two girls and a boy, no Jacobite author has up to the present been

[1] *Op. cit.*, p. 64.

able to write, or at least to give any details. This can now be done.

There is no longer any doubt that the father of the boy, 'Count Roehenstart,' and his two sisters, was Prince Ferdinand de Rohan, Archbishop of Cambrai and brother of the famous Cardinal de Rohan. During the height of the Diamond Necklace scandal at the French Court in August 1785, Charlotte wrote to her mother from Florence of how distressed the '*ami*' must be, and later throughout the trial and at the ultimate banishment of the Cardinal she expresses her sympathy, and sends messages to him.

Among the letters of Charlotte to her mother in the Bodleian is, moreover, one in the handwriting of the Archbishop, identified from other letters of his though only signed with a cypher. This letter acknowledges his personal responsibility towards the children, and in one of Charlotte's letters she alludes to him as a 'bon papa,' though he scarcely seems to have deserved this epithet, as he did for them as little as possible, trying to shift the onus to her. Horace Mann, that ever useful gossip, commented on her familiarity with the household of de Rohan, then Archbishop of Bordeaux, shortly before she left Paris to join her father, and hints at scandal. She herself constantly refers throughout the years 1785-89 to the '*ami*' as being at Cambrai; sometimes with relief, as she can then write to her mother more freely without her letters being also read by him. In an early letter of 1784, written to her father while she was still in Paris, she notes the great intimacy existing between her and the de Rohan family and tells her 'auguste Papa' how kind they all are to her in helping her to get away to him and are among his best friends. This letter is in the Fort William Museum.

The so-called Count Roehenstart had no doubt as to who was his mother, though he can never have seen her since a few months after his birth, but it is not clear if he

was ever conscious of the identity of his father. He invented one for himself, a certain Swedish baron, whose family name he derived from an early and mythical race between a Roe deer and a hen, though it is hard to believe that he expected to be taken seriously. On another occasion he claimed to be descended from a Scottish family of the name of Stuart, long settled in Sweden, whose territorial designation was Roehenstart. But, needless to say, no *Dictionnaire de Noblesse* knows of such a family. The name itself has been plausibly conjectured to have been invented either by the Count himself or by some humorous friend as a combination of Rohan and Stuart. (It will be noted that the writer of the letters from Stirling spells the name Rohenstadt, with a German flavour.)

He gave varying accounts of the time and place of his birth. In the Memorial which he presented to the Prince Regent in 1817 [1] he says that he was born in Rome on the 11th June 1784, and that is possibly the correct date, but the place is wrong, as it is known from the Fort William letter quoted above, from Horace Mann and other sources, that Charlotte was at that time still in Paris. Her father, Prince Charles Edward, after legitimising her and making her his heir in 1783, sent his major-domo, John Stuart, to Paris to fetch her in July 1784; but far from 'flying to her father's side' (as Skeet so romantically puts it) she allowed nearly three months to elapse before she made a move, only reaching Florence on 4th October of that year. Many circumstances point to the probability that she was occupied in recovering from the birth of her son. Both the girls were older than he, as is shown by the details of their education, etc. in Charlotte's later letters. Another date given by Roehenstart for his birth is 4th May 1786, and again the place is stated to be Rome, the Palazzo Colonna

[1] This exists with the other papers in America awaiting publication by the owner. Allusion to it is authorised.

being specified. This date is manifestly impossible. Charlotte was in Rome, but in the voluminous diary kept by Cardinal York's Secretary and still in the British Museum [1] the writer happens to mention that on that day His Excellence came in from his episcopal palace at Frascati to visit his brother and niece in the Palazzo Muti and found them both in 'very good health.'

A third possible date of birth in 1781 or 1782 comes from the date on Roehenstart's tombstone, where he is stated to have died in his 73rd year, in 1854, but, as will be explained later, this was erected by strangers who probably only judged by the appearance of the old man. His mother never alludes to him by name in her letters to her mother, Clementina, though both his sisters, Aglae and Marie, are referred to; but at the end of March 1785 she writes of a precious 'he' who will shortly be returning from the country to Paris and says she relies on her mother to see that when he rejoins the others in 'le petit jardin' he 'wants for nothing.' This suggests a baby returning to Paris from its foster mother in the country.

Charlotte died when her son was $5\frac{1}{2}$ years old, and never saw him again after she left him as a baby of 2 months old in Paris.

Of this son himself, in whose veins ran the last known drop of Prince Charles' blood, we have fortunately a good deal of information. He only died in November 1854, less than 100 years ago, and the *Scotsman* notice of his death, which took place in consequence of a coach accident on 28th October near Stirling, states that 'the deceased gentleman was a General in the Austrian Army and claimed to be a descendant of Prince Charles Edward Stuart.' His claim to the title of General is problematic, though he had certainly served in the Austrian Army

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[1] Add. MSS. 30,428-30,463.

during the Napoleonic wars : but that to be the grandson of ' Bonnie Prince Charlie ' is quite well founded. He was recognised as such by his grandmother, Clementina Walkinshaw, and by her friend, Thomas Coutts, who comments on the extraordinary likeness of the young man to his ' old grandmother.' At one time he even sent her money through Coutts, or tried to do so. A letter about this is printed in the *Life of Thomas Coutts*, by E. H. Coleridge.[1]

After the references to his early life as one of the ' flowers in the garden ' at Paris, so often alluded to in her correspondence, who were so dear to the heart of poor Charlotte in Italy, the next glimpse we get of her son is in 1792, when he must have been between 7 and 8 years old. Mother and grandfather were both dead and he had been removed, no doubt by his father's orders, from the dangers of Paris to safety in Germany, where he writes from Munich to his great-uncle Henry, Cardinal York.

This letter is with the other papers concerning him now in America, and is here quoted by special permission. It is short and very well written.

Munich. 1 Jan. 1792.

My Lord,

I avail myself of the New Year to present to your Royal Highness the wishes which I form for you. Maman told me to love you, and I do so very much. I should be most happy if I can obtain your protection, for I am a good boy.

Your respectful nephew,

Charles.

P.S.—Je prie toujours le bon Dieu for your Royal Highness.

It does not appear whether this letter was ever sent or

[1] E. H. Coleridge : *Life of Thomas Coutts* (1920), ii. 59, 123, 129, 143, 333.

not, as the only copy known is among the papers of Roehenstart and not among those of his Royal Highness the Cardinal, now in the British Museum.

During this period it is evident from the correspondence of Archbishop de Rohan in the early years of the 18th century that he was much interested in the education of some boy, whose name is not revealed. It is not known at what stage the boy Charles began to call himself Roehenstart or invented the mythical father, a count of that name, sometimes called Swedish and sometimes Bavarian. He seems to have been well educated in Germany and was taken into the household of the famous cavalry commander, Prince Alexander of Würtemberg, but biographies of the Prince in this country do not mention him. He took some part in the Napoleonic wars and, according to his own accounts of himself, travelled extensively in Russia, India and America. The papers here printed only throw light upon him in middle life. In 1817, when he was presumably 33, he was lodging in Edinburgh, and a fellow-lodger contributed to a friend in Stirling a full account of this new and exciting friend. The correspondent passed on the information to Lord Hardwicke among whose MSS. in the British Museum the letters still lie (Additional MSS. 35,622, ff. 118-121).

Charles Edward Roehenstart gave a romantic account of the marriage of his parents, the Lady Charlotte Stuart and Count Roehenstart, and of how after his birth his grandfather acknowledged him—which was, of course, not true. He said he was sent to Germany for his education and, after the deaths of his grandfather and his mother, found himself unable to obtain any support from his great-uncle, Henry of York, or from her whom he regarded as his step-grandmother, Louise of Albany, Prince Charles' widow. He made great play with his adventures in various parts of the world, and fairly dazzled the young Scots boy

with his accomplishments and manners. In a later letter, the boy adds that his new friend is about to go to London to make a further effort to obtain what he considers to be 'monies' due to him, and about which he had already had an unsatisfactory interview with Lord Sidmouth.[1] If he can get no satisfaction in London, he will, he says, go on to Paris and St. Petersburg, where he thinks he has apparently also rights to some funds. He was seemingly a good linguist. He did go to Paris, for the papers at Windsor show the interest taken in his arrival there by the Paris police, to whom he gave somewhat the same account of himself as that embodied in the Memorial to the Prince Regent in which he fully stated his claims. The French police appear to have accepted his story and furthermore reported that they found him a perfectly harmless individual, without political pretensions and only anxious to live quietly as a good citizen.

He is known to have married twice, first an Italian, Marie Antoinette Barbuoni, and then an Englishwoman, Constance Smith, but there were no children. No further light has been shed on his later life, but he obviously drifted back to Scotland, where he had originally come, as he said in Edinburgh, to 'make friends with those brave people who had fought so well for his grandfather.' His ambition had been to buy an estate in the Highlands and become a Laird, but this never came to pass and all that remains of him in Scotland is the pathetic stone in Dunkeld Cathedral put up by friends and chronicling the death (as the result of a carriage accident) of 'General Charles Edward Stuart, Count Roehenstart. Nov. 4. 1854,' with the notice in the *Scotsman* a day or two later of his claim to be a descendant of Prince Charles Edward Stuart.

H. T.

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[1] This cannot be traced in the Sidmouth correspondence.

DOCUMENTS relating to the Grandson of Prince Charles Edward Stuart from the General Correspondence of the first four Earls of Hardwicke (Add. MSS. in the British Museum, 35,652, ff. 118-121) and from the Archives at Windsor Castle (Georgian Papers, 22,063-5).

Keith Milnes to Philip, 3rd Earl of Hardwicke.

(*All footnotes are by the writer Keith Milnes except where initialled H. T. by the editor.*)

Stirling,
3 March, 1817.

MY LORD,

As your Lordship seemed to think the particulars respecting the supposed grandson of Prince Charles Stuart interesting, I will now communicate some further information which has sinee reached me upon the same subject by a new and unexpected channel. And although this account varies in some respects from the other, yet the difference is perhaps not greater than might be expected under such circumstances. A young man of this place had gone in, at the beginning of winter, to attend some of the classes at Edinburgh and happened to take up his quarters in the very same lodging-house with Mr. Reinstadt or Rohenstadt, which it appears is the sirname of this new Chevalier. There being no other lodgers in the house, they soon formed an intimacy. The Stirling gentleman became much attached to his new friend and wrote some letters about him to relations here. I have obtained a perusal of these letters from which I shall give you extracts of all that may appear worth notice in them and add any remarks that occur to myself with regard to their apparent accuracy. It will be proper to keep in view that the writer is a very young man only about twenty, and I should suppose his opportunities and means of improvement have been limited.

EXTRACTS [*sic*] from letter dated Dec. 1816.

'The gentleman who lodges with me has kindly offered 'to teach me French. I have therefore sent this letter by 'the post that my French books may be sent by the first 'carrier. Jane will seek them out. There are two gram- 'mars, Receuil, etc. As he has no society and is very 'lonely, I wish the backgammon box to be sent also. The 'inside may be put up with the books.

'As this gentleman's history is none of the least curious, 'I shall endeavour to relate it as well as I can, though 'from the hasty glances I had of his papers, there will be 'many mistakes. He is, he says, the legitimate grandson 'of Prince Charles Stewart, commonly called the Pretender. 'In a copy of a Memorial which he gave me to read, it is 'stated that the Prince after he went to France, married 'the daughter of a Scotch Baronet named Paterson, who 'was afterwards created Earl of Walkinshaw.[1] He resided, 'if I am not mistaken, near Bannockburn. By this 'marriage the Prince had one daughter, the Lady Char- 'lotte,[2] mother of the gentleman in the other room, whose 'name is Reinstadt, or Rohenstaat. Some time after their 'union, Cardinal York, brother of the Prince (from some

[1] There is great inaccuracy here. No such person ever existed as an Earl of Walkinshaw. It is well known in the neighbourhood that the Prince was connected with a Miss Walkinshaw whose mother, Mrs. Walkinshaw of Barrowfield, more frequently called the Lady Barrowfield, was sister to Sir Hugh Paterson of Bannockburn and lived to a very great age. She had several other daughters, some of whom were married. All these people are in the remembrance of many who are still alive. The mother of Sir Hugh Paterson and Mrs. Walkinshaw was a lady of the Mar family. The incorrectness of this part of Mr. Rohenstadt's story may perhaps be considered as a sort of intrinsic evidence in its favour. An impostor would have been at more pains in selecting the material than to hazard fabrications which could so easily be detected.

[2] The daughter is here entitled Lady Charlotte Stewart, called Duchess of Albany by my first information which proceeded from a Mr. Mackenzie, a very intelligent man with whom I happened to dine at a friend's house a few days after he had been introduced to Mr. Rohenstadt. This mistake might easily arise in the course of a story involving so many particulars and perhaps hastily told, but it might lead to confusion for Prince Charles' widow, the Princess of Stolberg, is commonly known by the title of Countess of Albany.

'political motive which I do not recollect) prevailed by 'threats and promises[1] on the Prince's wife to sign a 'declaration renouncing the marriage as not having been 'performed according to the rites of the Catholic Church,[2] 'and as soon as this was done, he contrived to effect a 'Union between the Prince and the present Duchess '(*Countess*) of Albany while the former was in a state of 'intoxication to which vice he had been addicted after the 'defeat of his hopes in Scotland. Dreading the power of 'the Cardinal and being acquainted with his cruel and 'violent disposition he made no attempt to disown the 'Duchess (*Countess*).

'Lady Charlotte, his daughter, having become ac- 'quainted with a Mr. Rohenstadt at Paris, privately 'married him. This gentleman's father had some time 'before come from Bavaria where he resided and served in 'the British Army. In consequence of this marriage, the 'Lady Charlotte became pregnant, and being unable to 'conceal it any longer, acquainted the Prince with her 'marriage, who treated her kindly and publicly acknow- 'ledged her child as his legitimate grandson which is regis- 'tered in the Chancery of Versailles and Madrid.[3] This 'son is the present Mr. Rohenstadt, in whose favour the 'Prince, before his death, executed an Instrument con- 'veying his title and property.

'After this, there is a good deal said about the cruelty 'of Cardinal York to Lady Charlotte. That after having 'poisoned her, he took possession of the whole estate of 'Lascati in Italy.[4] The estate is now in the hands of the 'Pope and the object of the Memorial is to get it restored 'to Mr. Rohenstadt as the lawful heir. It is also stated 'that the Duchess (*Countess*) of Albany, who lives in

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[1] It was part of Mr. Mackenzie's information that Cardinal York had enticed Miss Walkinshaw to Paris and through threats of 'Letters de Cachet' and other means induced her to sign the declaration.

All this is, of course, untrue.—H. T.

[2] This also is manifestly impossible.—H. T.

[3] This is untrue.—H. T.

[4] Perhaps a mistake for Frascati. The Cardinal was Bishop of Frascati, which never belonged either to Charles or Charlotte.—H. T.

'Florence, enjoys a pension from the British Government 'as the Prince's widow. But Mr. Rohenstadt does not 'claim any pension, he only wants the estate which 'belongs to him.

'Mr. Rohenstadt having early lost his mother, went to 'Germany, Russia, etc. and afterwards travelled through 'India. He also went to America and about 6 miles from 'Mexico discovered some very old statues which bore 'Phoenician inscriptions, proving that America must have 'been known to the Phoenicians before the birth of our 'Saviour. He intended to have brought them, together 'with a fine collection of Natural History, to Europe and 'for that purpose bought a Frigate in which he also in-'tended to have carried merchandise to the West Indies 'and then returned to Europe with general produce. But 'he was boarded in the Gulf of Mexico by Turkish Pirates 'who stripped him of all his money and goods and carryed 'him to the coast of Barbary.[1] Afterwards he got safe to 'England and thence proceeded to Italy to enquire into 'the state of his affairs. He waited on the Duchess '(*Countess*) of Albany, his step-mother, who has since 'married an Italian dancing master,[2] by whom he was at 'first well received, but as the Memorial which passed 'between them is written in French, I could not make it 'out. By what followed, however, I conclude that he got 'no satisfaction from her. Upon which he came back to 'England and drew up a memorial to be presented to the 'Prince Regent, with which he delivered up all the docu-'ments proving his statement. But he is now despairing

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[1] A part of this paragraph borders so much upon the extravagant and marvellous, that it would appear almost to cast an air of discredit over the whole story.

(More likely he was intercepted by American vessels and his cargo confiscated.—H. T.)

[2] A strange description this of the poet Alfieri who had a rooted antipathy to dancing and dancing masters! I am told by people here that Miss Walkinshaw was alive after the marriage between Prince Charles and the Princess of Stolberg. Consequently, if Miss Walkinshaw had been the Prince's wife, the second marriage was illegal and the Countess of Albany could not be Mr. Rohenstadt's stepmother.

'of any assistance as it would be a public acknowledgment 'of his affinity to Prince Charles which might revive some 'discontent in the country. He told me that when he 'gave the memorial to Lord Sidmouth he wanted an 'immediate answer, as he had neither time nor money to 'wait long or if he must wait they behoved to supply him 'with the means. He showed me a letter from the Treasury 'which enclosed a draft for money, but the amount was 'so small he immediately returned it with a very sharp, 'it may be an impertinent, letter. But he had not yet 'learned to subdue the feeling of pride which such a paltry 'gift raised in his mind. Mrs. Hamilton had him down to 'the Abbey and says he speaks French, Italian and 'German extremely well. She has never conversed with 'him as to his family circumstances but she cannot bring 'herself to believe he is the legitimate grandson of the 'Prince. If he may be believed, however, he is not only 'legitimate heir to the Prince but the documents laid before 'the Prince Regent will prove it. Whatever he may be, 'he is certainly a most accomplished young man. There 'is not a language in Europe that he does not speak 'fluently and know grammatically. He is skilled in Mathe-'matics, Logic, Chemistry and almost every science. For 'reasons both relating to him and myself I do not wish 'that any one should know that such a person is staying 'with me. You will therefore I hope, refrain from speaking 'of it.'

Extracts from letter dated 10 Jan. 1817

'I am happy that my account of Mr. Rohenstadt has 'been confirmed. Indeed whether he be the legitimate 'grandson of Prince Charles or not, (and I have no reason 'to doubt his statement) he is certainly a man who has 'seen a great deal of the world, lived in the best society 'and acquired a vast fund of knowledge both from men and 'books. He is now going to leave this for London and 'expects to go from there to St. Petersburgh.'

'You have warned me to guard against any imposition

'with regard to pecuniary matters and perhaps you did 'right. But had you known Mr. Rohenstadt, you would 'own that such advice was unnecessary. He has declared 'that he refused money from the board of Treasury and 'says his pride will not allow him to stoop so far as to ask 'assistance from any man while he is in a situation to gain 'the necessaries of life. After indulging in a reverie about 'the happiness he would enjoy being in the Highlands of 'Scotland, for that is his favourite country, he will exclaim, '"Ah, but why do I speak thus? I am just a poor devil. 'Ah (with the shrug of a Frenchman) no matter—I am 'but a man and will bear patiently the miseries which he 'is doomed to suffer. I am happy in the knowledge that 'these brave people who followed my grandfather are still 'attached to his descendant and will love me if ever I am 'so happy as to live amongst them." It would take a 'great deal of time to tell you all about him, so you must 'rest contented till I see you.'

From another letter of same date :—

'Poor Mr. Rohenstadt is going to leave me. Some days 'ago he had a letter from London which informed him 'that his presence was necessary there and he sails for 'that place on Tuesday next. He says that if he finds no 'immediate prospect of the success of his application to 'the Prince Regent he will set out for Paris and from 'thence to St. Petersburgh in order to recover considerable 'sums of money due to him in those places and to solicit 'the Emperor Alexander (at whose court he lived for some 'years) to use his influence with the Prince [1] to listen to 'his claims. I am truly sorry for him and feel much 'interested in his fate. I gave him my address and 'requested him to write to me how he succeeded. He said 'that he would write only if fortune proved kind to him, 'in which case he is resolved to return to Scotland, buy an 'estate in the Highlands and settle there as a private

[1] Should this be the Pope ?
(More likely the Prince Regent, see below, p. 135.—H. T.)

'gentleman. His love for Scotland is excessive. Some 'days ago he began to learn the Gaelic language under the 'tuition of Mr. McDonald teacher for the Highland Society 'here, and although he has got only a few lessons he has 'made great progress, so great indeed that he will be able 'to learn it without the assistance of a teacher, though 'his pronunciation will be incorrect.'

The writer of these letters has evidently been fascinated by the accomplishments and address of Mr. Rohenstadt for which allowance might be made on account of his youth and the little he has seen of the world. But Mr. Mackenzie who had seen a great deal of the world and been in foreign countries seems equally fascinated and impressed with a belief of the authenticity of the whole statement.

Whatever extent of credit it may deserve, there can be no doubt Mr. Rohenstadt is an extraordinary kind of person and that his manners are extremely insinuating. There appears on the whole a probability that he really is the Descendant of Prince Charles and Miss Walkinshaw. But as for the alleged marriage, that must depend upon the documents he can produce. It is the general opinion in this neighbourhood that Miss Walkinshaw never was married, and what is still more, this was the opinion of her own relations. Since the matter is at all events so curious, I regret that I did not become aware of it sooner as I could easily have obtained an introduction to the youth himself and might perhaps have gathered many more particulars. I would also have taken a fuller memorandum of the conversation with Mr. Mackenzie but the subject came on quite unexpectedly and I had formed no intention of treasuring up any particulars for the purpose of committing them to paper.

In regard to the first subject of my last letter, I ought to have mentioned to your Lordship that I neither know anything of the circumstances which may have given rise to such a rumour nor who are the individuals concerned or affected. It came to me merely in the way of common report, but upon

what I should consider to be good authority. The few friends with whom I still keep up an intercourse in this place are among the remains of those who were, in my time, its more respectable inhabitants, but of whom not many vestiges now remain there. The Government has passed into different hands, very good people in their way but most of them in those former times reckoned among the secondary class of inhabitants.

Should I learn anything more of Mr. Rohenstadt worth notice I will, with pleasure, send it to your Lordship.

I have the honour to be with the highest respect
My Lord
Your most obedient and most humble servant,
KEITH MILNES.

TWO PAPERS from the Royal Archives, Windsor Castle (Georgian Papers, 22,063-5), printed by gracious permission of His Majesty.

Paris. 7 Juillet 1817.

Extrait.
Cabinet.

L'affaire de Mons[r] Roehenstart a êté suivie avec beaucoup de soin, et par des moyens opposés qui ont procuré pour resultats certains la conviction du peu d'importance politique de ce personnage, et celle de la ridicule exagération et de la coupable mauvaise foi du Sieur Schrader. La position de Mr. Roehenstart est fort genée sous les rapports de fortune. Sa conduite est conforme à son état, reservée et discrette ; il voit peu de monde ; reçoit peu de lettres. Les Agens étrangers ou Français, chargés successivement d'explorer les démarches et ses rélations, ont fait, à l'envie, preuve d'un zêle plus qu'indiscret en exagérant les prétentions de M. Roehenstart qui n'en manifeste aucune et qui n'a appris qu'avec le plus vif étonnement quelle importance politique on avoit voulu lui donner. Cet étranger appellé par mon ordre au Ministère de la pollice générale pour y donner des explications sur les diverses circonstances des rapports dont il avoit été l'objet, a fait et signé la Déclaration dont j'ai l'honneur d'adresser

copie à Votre Excellence. Sa modestie et sa resignation ont été très satisfaisantes.

Rien, dans son exterieur, ni dans ses discours, n'annonce un homme occupé de projets poliques, ni même fier de son honorable naissance. Humble et soumis, il paroit chercher dans l'étude des consolations contre la gène de sa position. On a entrevu dans ses explications sur sa naissance, que le mariage de ses père et mère avoit été fait sécrétement à Paris sans l'aveu de la famille des Stuarts, qui n'y eût pas consenti, à cause de l'inferiorité de rang de Monsieur Roehenstart; mais après la naissance du jeune Roehenstart, son ayeul maternel a ratifié le mariage de sa fille et a fait constater authentiquement son adhesion....

A son Excellence

Monsieur le Marquis d'Osmond &c. &c.[1]

Enclosure.

Copie.

Déclaration de M. Charles Edward Roehenstart

Le 3 Juillet 1817 à midi s'est presenté au Ministère de la police générale, d'après l'invitation qui lui en été faite, Monsieur Charles Edward Roehenstart, logé à Paris, Rue du Dragon N° 8, lequel a répondu de la manière suivante aux diverses questions qui lui ont été faites.

'Je suis né à Rome ou s'était retire Charles Edward Stuart, prétendant au Trône d'Angleterre, du mariage de Charlotte, Duchesse d'Albany sa fille, avec Auguste Edward Maximilien Roehenstart, le 14 Juillet 1784. Après la mort de sa [*rectius* ma] mère qui eu lieu en 1789, mon père se retira en Allemagne (à Munich) ou il passa quelques années et vint s'établir à Londres ou je l'accompagnai; il mourut en 1799; il est à observer que mon père habita Edinburgh, ou se trouvoit la famille de la Comtesse d'Alberstroff, mon *ayeule* maternelle, la plus grande partie du tems qu'il passa en Angleterre, et c'est ce qui a donné lieu d'indiquer sur mon passeport cette ville comme lieu de

[1] French Ambassador in London.

ma naissance. Environ deux ans après la mort de mon père, je quittai l'Angleterre pour aller en Russie ; où le Duc et la Duchesse Alexandre de Wurtemberg, Oncle et Tante de l'Empereur, m'attachèrent à leur maison en qualité de Chambellan ; en 1810 je fus obligé de me rendre à Londres pour mes intérêts compromis par la faillite du Banquier Forbes chez lequel étoit placé toute ma fortune. Cette même circonstance me détermina à aller en Amérique dans l'espoir d'y joindre ce Banquier qui, en effet, s'y étoit refugié et me remboursa une foible partie de mes fonds.[1] Enfin après plusieurs années de voyage dans le nouveau monde je revins à Londres, d'où je me rendis à Edimbourg ; désirant revoir la France j'y arrivai le 25 Février dernier ainsi que le constate mon passeport.

'Avant de quitter l'Angleterre, ma position devenue très penible par la faillite dont je viens de parler, m'obligea à présenter au Gouvernement Anglais un mémoire tendant à rétablir et revendiquer mes droits à la succession du Cardinal Duc d'York, mon grand-oncle maternel. Dans le cas où le Gouvernement B^que^ ne croiroit pas devoir accueillir cette réclamation, je restreignis mes prétentions à une pension, ou un emploi honorable dont j'ai le plus grand besoin pour subsister, ne pouvant même aujourd'hui me soutenir qu'à l'aide des avances que veut bien me faire Mr. Coutts, banquier de Londres ainsi que deux autres amis. J'ai eu, au sujet de ce memoire plusieurs entrevues avec Lord Sidmouth dont l'accueil n'a pas détruit mes espérances.

'Je dois saisir cette occasion pour protester contre tout autre projét de prétentions qu'on auroit pu m'attribuer dans l'intention de me nuire, et je déclare n'avoir jamais porté mes vues au dela des bornes que me prescrit ma raison et que m'imposent les devoirs de citoyen Anglais plus jaloux de la tranquilité de sa patrie que de son bonheur personnel. Je n'ai jamais pris aucun tître, formé aucun projet ni entretenu aucune relation contraire à ces senti-

[1] This part of the story is untrue. What means he had ever had were lost in other ways.—H. T.

mens. Je crois devoir faire connoitre ici mes véritables intentions ; afin de détruire, s'il est possible, les fausses impressions, que des rapports mensongers dont j'ai été menacé, auroient pu donner sur mon compte ; à cet égard, je crois avoir a redouter la mechanceté de deux individus dont j'ai éprouvé l'ingratitude, et la mauvaise foi, l'un nommé Schrader qui lui même m'a déclare être employé concurrement par la police de France et celle d'Angleterre, et l'autre Assig, prussien contrc lequel je fus obligé de faire une déclaration lorsqu'il fut arrêté pour vol par la préfecture de Police.

' En m'expliquant sur mes projets ultcrieurs je déclare qu'ayant l'espoir que S.M.C. l'Empereur de Russie daigne recommander me réclamation au Gouvernement Britannique je me soumettrai a habiter le lieu qui mc sera designé pour jouir paisiblement des moyens d'existence qu'il m'assurera et que je regarderai comme un bienfait ; dans le cas contraire j'userai des seules ressources qui me resteroient en allant reprendre mon emploi chez S.A.R. le Duc de Wurtemberg, en Russie, ou utiliser mes talens dans cette contrée ou en Italie. Je donnerai a S.E. le Ministre de la police générale tout autre renseignement dont il auroit besoin sur mon compte et je ferai toutes les communications qui pourront être exigées ; et j'ai signé la déclaration ci-dessus comme étant l'expression de la vérité.

(*Signé*) Edward Roehenstart.'

PAPERS RELATING TO A RENFREWSHIRE FARM

1822-30

Edited by

GEORGE S. PRYDE, PH.D.

INTRODUCTION

Lochwinnoch parish, lying in the hilly interior of Renfrewshire and bordering on Beith parish in Ayrshire, is noted for its exceptionally large number of small proprietors; its property was described by George Robertson in 1818 as 'the most minutely divided of any in the county.'[1] The roots of this phenomenon lie in the distant past. Auchinbathie, for example, an estate in the eastern part of the parish long associated with the Wallaces of Johnstone and reckoned a five merk land of Old Extent,[2] was split before the Reformation between seven heiresses; one of the sevenths, Auchinbathie-Langmure, a 9s. 6d. land, was itself divided between three heiress-portioners by 1617.[3] As early as 1439-40, another of the sevenths, called *Castell-wallis*, appears, *cum lacubus ejusdem*, as part of the barony of Robertland[4]; it, like the others, was a 9s. 6d. land, and by 1610 it belonged to Blair of Blair.[5]

Castlewalls, in the extreme east of the parish, owes its name to a sharp ridge or summit, 750 feet in height, on the west side of what is now Whittliemuir dam. A readily defensible position, with precipitous sides to the east and

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[1] G. Crawfurd, *History of Shire of Renfrew* (ed. G. Robertson, 1818), 350.

[2] *Registrum Magni Sigilli*, vi. 231; ix. 895.

[3] *Inquisitionum Retornatarum Abbreviatio, Renfrew*, Nos. 45, 53. Other sevenths included the Reivoch and Sproulston: *ib.*, 39, 40; *R.M.S.*, viii. 732; ix. 640, 1701. These were still the names of farms in 1830: *infra*, pp. 159, 160.

[4] *R.M.S.*, iii. 2115.

[5] *Inquis. Ret. Abbrev., Renf.*, No. 30; cf. *ib.*, 107, 121, 122.

west and the ends fortified to the north and south, it is thought to have been either a British hill-fort or one of the camps of Sir William Wallace, from whom the name is, plausibly enough, derived.[1] True to the local custom, the estate was further divided into North and South Castlewalls,[2] each being reckoned a 4s. 9d. land. South Castlewalls house lay about $3\frac{1}{2}$ miles east of Lochwinnoch village and some 6 miles south-west of Paisley, the farm being just below the 600-feet contour. Auchinbathie tower, the ruined *caput* of the old estate, is about $1\frac{1}{4}$ miles to the south-west.

The Pollock connection with South Castlewalls (or Todholes in Auchinbathie, as it was often called) began in November 1766, when James Kibble or Kebble, writer in Paisley, sold the farm to Robert Pollock (sometimes written Pollick), along with a few outlying acres of pasture land.[3] His eldest son, John, entered by sasine on 18 September 1776, following on a retour of general service.[4] Marrying in 1784, he lived to enjoy his property for nearly half a century, dying on 7 April 1826; and it is the state of his farm at and about the time of his death which is illustrated by the papers here published.

The great period of agricultural improvement in this district may be said to correspond roughly with John Pollock's possession of South Castlewalls and to have been

[1] *New Statistical Account, Renfrew*, 96 (where it is called Castlewaws); cf. W. M. Metcalfe, *History of County of Renfrew* (1905), 425. It is called Walls Hill in the Six-inch Ordnance Survey (1860). Blaeu's map (*c.* 1640) shows Castelwols.

[2] The Lizars map in Robertson's edition of Crawfurd's *Renfrewshire* calls them, in violence to local usage as well as geography, East and West Castlewalls.

[3] Cf. *infra*, p. 160, n. 3.

[4] *Particular Register of Sasines, Renfrew*, vol. 20, 105. I am indebted to Mr. C. T. McInnes, of the Register House, for kindly supplying this information. William Blair of Blair, the feudal superior, confirmed this sasine, *inter alia*, by a charter of 1805 which survives among the family papers.

practically completed before his death.[1] Trees had been planted, arable fields enclosed, often (especially on the higher land) with stone dykes, the ground had been drained and limed, and a proper rotation of crops was observed. As a consequence, the food-supply was much greater, as well as more secure, than formerly, and farm-buildings were 'in general substantial, comfortable, and slated.'[2] By 1812—symptom of the new mode in farming—the use of oxen for ploughing had long been abandoned in favour of horses.[3] The more elevated region of the county, including Lochwinnoch, had reached, by the early nineteenth century, a stage midway between the old, intensive, laborious, but unskilful and unproductive arable farming, to the neglect of stock-rearing, and the modern attitude, which would regard land of this kind as suitable exclusively for pasture. Farming was mixed, the main county crops—oats, bear and potatoes—being raised; but, since already the upland farms were thought to be 'fitter for pasture than any kind of crop,' cattle were reared for their products, or fattened to supply the constant and growing demands of the Paisley and Glasgow markets.[4] The use of the Ayrshire breed had by now spread not only throughout the county of its origin but also fairly generally in Renfrewshire[5]; and dairy produce had become 'the chief object of the farmer's attention.'[6]

That farming on this plan, if well conducted, could yield comfort with more than a dash of prosperity is clear from the present documents. The first is the disposition, or will, dated December 1822, of John Pollock and his wife, Jean Craig. The farm itself, the house, stock, imple-

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[1] Cf. Crawfurd, *op. cit.*, 243.
[2] *N.S.A., Renf.*, 100.
[3] J. Wilson, *General View of Agriculture of Renfrewshire* (1812), 155.
[4] *N.S.A., Renf.*, 112.
[5] G. Robertson, *Rural Recollections* (1829), 564.
[6] Wilson, *op. cit.*, 143.

ments and most of the furnishings naturally went to the elder son, Robert, as heir,[1] but provision was also made for the rest of the immediate family. The widow got an annuity of £10 sterling,[2] as well as a room with two beds and bedding in the *spence*, or living quarters,[3] a small garden and all the fuel needed. The younger son received £200, the married daughter £80,[4] and the other two daughters, £100 each (besides beds, bedding and chests of drawers). John Pollock therefore had well over £500 to dispose of *in cash*; yet his chief form of wealth was, of course, the farm itself (valued at £30 [5]). The best standard for judging the real worth of the legacies in 1826 is supplied by the prevailing level of wages and salaries. Skilled ploughmen in the post-war epoch were getting £10-£12 per year,[6] plus their keep and perquisites such as clothing, and dairymaids £5-£7; craftsmen like joiners, masons and wrights got at most 15s.-18s. per week, mill-hands about the same (women and children much less), and hand-loom weavers (now, except at Paisley, beginning to suffer a 'squeeze-out' through the adoption of the power-loom) 10s. a week or less; day-labourers had 1s. 6d. to 2s. per day.[7] Turning now to salaries, we should bear in mind that the remuneration of the clergy was, in the 1820s, relatively high, indeed, very high, and that Lochwinnoch, with a population of some 4300, was a good living; the minister's victual-stipend—8 chalders of meal and 8½ of

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[1] He entered by sasine recorded 18 Oct. 1828 (*Part. Reg. of Sasines, Renf.*, vol. 499, 77). I am again indebted to Mr. McInnes for this reference.

[2] All sums of money here cited are in sterling.

[3] Cf. *infra*, p. 149, n. 1.

[4] Later family papers show that this sum had been increased (between 1822 and 1826) to £100.

[5] Crawfurd, *op. cit.*, 351.

[6] Wages had been higher—as high as £10 per half-year—during the Napoleonic wars. Robertson, *Rural Recollns.*, 123.

[7] Vide *N.S.A.*, *passim*.

barley—worked out in that year (with fiars favourable [1]) at £362, 10s. 10d., so that his total income could not have been far short of £400.[2] As was the case all over Scotland, his professional colleague, the schoolmaster, was separated from the minister, in the financial sense, by a wide gap. His salary was the national maximum of £22, 4s. 5d., and his fees and perquisites brought his total emoluments to £53 in 1812 [3]; the higher scale of 1828, adopted in accordance with the provisions of the Act of 1803,[4] raised the former figure to £34, 4s. 4d.[5] and would give the dominie a total yearly income of some £70. It will thus be seen that the amounts settled on John Pollock's family by his disposition of 1822 were, in terms of current living standards, liberal and generous; they indicate that South Castlewalls was flourishing under his management.

The second of the documents, comprising the testament-testamentary [6] of the deceased and the inventory given up by his son as executor and confirmed by the Commissary Court of Renfrew in November 1826, is the most instructive of the three. Allowance must no doubt be made for some degree of under-valuation. The executor's estimates would be subject to challenge by the Commissary only if they were ludicrously out of line with the known facts [7]; as might well happen in similar circumstances to-day, a figure equal, say, to two-thirds of the current prices would perhaps be accepted as normal. Thus, of the 17 cattle of

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[1] Meal, 24s. 7d. per boll; barley, 30s. 2½d. per boll; W. Hector, *Judicial Records of Renfrewshire* (1878), ii. 47.

[2] It is given as £313, 5s. 4d. (including glebe and money-stipend) in 1812; Wilson, *Gen. View*, 79.

[3] *Ib.*, 361.

[4] 43 Geo. III. cap. 54 arranged for a revision of the scale, after 25 years, in the light of the national average fiars.

[5] Cf. *N.S.A., Renf.*, 566.

[6] *Infra*, p. 152, n. 1.

[7] Cf. J. Erskine, *Institute of the Law of Scotland* (1828 edn.), Bk. iii., Tit. ix., § 33.

various ages, the range was roughly from £2 to £7, with new calves put at 10s. each ; the figures recorded for this parish in 1811 (when, however, the war-induced prosperity of the farmer was reflected in high prices) ranged between £3 and at least £15, with calves at £1 each.[1] At £20, the bay mare was the farm's most highly prized possession. Noteworthy also are the close-bodied cart (£3) and the iron plough (£2) ; other farming implements, though numerous, were of no very great value.

The food, fodder and fuel representing the produce of the farm included corn (*i.e.* oats) and bear, potatoes, hay and straw, and peats ; they were valued in all at £6, 7s. 6d. Stored within the farm-house were about eight bolls of oatmeal contained in what must have been a very large chest and entered as being worth £7,[2] three small cheeses (10s.), salted beef in a barrel (7s. 6d.), and some salt (1s. 6d.). Most surprising, to modern minds, is the value placed upon the dunghill (£5) ; but Robertson, writing in 1829, reminds us that this ' still retains its respectable character as the great cause of fertility ; and, in most cases, keeps its immemorial possession of the middle of the square in front of the house.' [3] Similarly, even the townsfolk cherished their heaps of *fuilzie*, with some risk to health and considerable offence to the nostrils, to the extent that they stolidly resisted the periodic edicts of reforming councils ; and street-sweepings constituted a regular feature of burghal revenue.[4]

Among the house furnishings pride of place goes to the

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[1] Wilson, *Gen. View*, 145.

[2] Probably another under-estimate, as the fiars price in 1826 was 24s. 7d. per boll ; *supra*, p. 143, n. 1. On the other hand, 15s. per boll was regarded in 1836 as an average price for grain (*N.S.A., Renf.*, 101).

[3] *Rural Recolln.*, 615.

[4] Thus, the streets of Dunkeld were swept only when the accumulation of manure was sufficient to defray the cost (*Municipal Corporations Commission, Local Reports* (1836), 43).

eight-day clock (£1, 10s.), of which the family no doubt thought highly. Fourteen chairs (two of them 'elbow chairs') and five stools are listed, a dresser and rack, three tables, two presses, two mirrors, several chests and boxes, beds, bedcovers, bolsters, pillows, blankets (5s. a pair) and sheets (4s. 6d. a pair). The personal clothing of the deceased included coats (blue or black), breeches, vests, a great-coat, stockings, boots, shoes and shirts, both linen and *harn*; and his way of life is suggested by the riding saddles, bridles, spurs and gun. So, too, glimpses of the woman's sphere are afforded by the references to spinning wheels and reels, brass candlesticks, cheese toaster, bake board, girdle, cheese *boyne* and butter crock, tea-pots (earthenware and tinplate), china cups and saucers, sugar bowl and pewter spoons. The inventory concludes appropriately with three crystal dram glasses.

The third document shows the conditions and some of the results of a roup, or auction, held at South Castlewalls in November 1830. The 'lots' disposed of embraced cattle, corn and hay, which were presumably surplus to the farmer's requirements and which he preferred to sell to his neighbours rather than send to the Paisley or Glasgow market; and land, both arable and pasture, let generally for two years' crop or use. The fields thus exposed at the roup were small: the seven lots of arable amounted to only 7 acres and 21½ falls, while Wardhead and Broomhill, let for grazing and the cutting of peats or rye-grass, seem to have extended to something like three acres. The terms of the roup indicate that the lessons of the Agrarian Revolution had been learnt by the Pollocks. The fields were to be kept clear of gool weed, due rotation was ensured by the stipulation as to the sowing of rye-grass in the second year, to avoid soil-starvation through continuous cropping in the old manner, and pasture was for use from 1 May to 1 December, by cattle and not sheep.

What we know of the local proprietors and place-names suggests that these fields were outlying or detached portions of Robert Pollock's holdings,[1] and that they were taken by near neighbours, to whose own farms they may well have lain more conveniently than to South Castlewalls itself. In all probability, therefore, the device was a highly sensible one, leaving untouched and compact the main part of the farm, as it was certainly a profitable one, for the disposal of something like ten acres of land brought in about £55 in cash; this, with what the surplus stock fetched, must have meant a comforting addition to the bank balance of Robert Pollock.

To glance at later developments, the adoption by Britain of free trade after 1846 brought profound changes to farming in Renfrewshire, as elsewhere. The competition of overseas suppliers rendered uneconomic the small mixed farm of the South Castlewalls type, and dairy-farming, for long the mainstay of the upland region, became virtually its sole pursuit. That the farm remained prosperous under the new conditions is suggested by the fact that extensive alterations were carried out on milk-house, byre and stables in 1868: the mason and brick work alone cost £59, 2s. 6d.[2] Before this time, however, South Castlewalls had been merged in a larger entity, for, in 1861, John Pollock (son of the Robert that succeeded in 1826) had married a cousin who owned the nearby farm of Overtoun (or Springside); their combined properties were rounded out some years later by the purchase of Burnfaulds, lying between them and contiguous to both. This John Pollock and his son (another John) earned fame far beyond Renfrewshire as breeders of a small but very distinguished flock of Border Leicester sheep.[3] To-day, though the farm

[1] *Infra*, pp. 160, 161, and notes.
[2] From family papers.
[3] *Farming World and Household*, 30 Oct. 1896, p. 700.

buildings of South Castlewalls are abandoned and ruinous, Springside is still reckoned a good pastoral farm.

For permission to publish the three documents and to peruse the other family papers, I am indebted to the kindness of Mr. John Pollock Parker, representing the senior surviving line of descendants of the testator, and of my colleague, Dr. Robert Pollock Gillespie, of the Mathematics Department in the University of Glasgow, who is likewise the descendant, in another branch, of the original John Pollock. To each of them best thanks are offered.

G. S. P.

MUTUAL DISPOSITION AND SETTLEMENT BY JOHN POLLOCK AND JEAN CRAIG, SPOUSES, 1822.

We, John Pollock of South Castlewalls, and Jean Craig residing there, Spouses, Considering that there never has been any Contract of marriage [1] between us; and that we are both considerably advanced in life; and Also Considering the certainty of death, and the uncertainty of the time and manner thereof, we have, while in health of body and soundness of mind, resolved to execute this our Settlement as follows viz[t]. We the saids John Pollock and Jean Craig do hereby, with mutual advice and consent of each other severally, Give, Grant, Assign, Dispone, Convey, and Make Over from us, our heirs and successors to and in favour of Robert Pollock our eldest son, and his heirs, successors and assignees, whomsoever, heritably and irredeemably, All and Sundry Lands and Heritages, debts heritable and moveable, heirship moveables,[2] and whole other goods, gear, sums of money and effects, and in general, our whole means and estate, heritable and moveable of whatever nature, or denomination, or wherever situated, presently belonging or which shall belong to us, or either of us, at the time of the death of me, the said John Pollock, with the whole

[1] This at first glance rather startling statement implies, of course, no irregularity about the marriage, but simply the absence of any legal marriage settlement between the parties. In point of fact the couple 'gave in their names for proclamation in order to marriage' on 27 November 1784 and were married at Lochwinnoch on 7 December of that year (*Lochwinnoch Parish Register* in General Registry Office, Edinburgh).

[2] Heirship moveables are those moveables to which, in addition to the heritage, the heir of line is entitled, to ensure that his dwelling-house, farm, etc., do not come to him in dismantled state; they include the best of the indoor furnishings and the *outsight plenishing*. J. Erskine, *Inst. of Law of Scot.* (1828 edn.), Bk. iii., Tit. viii., § 17. Cf. *Leges Quattuor Burgorum*, cap. xcvi.: 'And of all thir forsaid thyngis and all uthiris of houshald the best pertenys to the ayre.'

vouchers, instructions and conveyances of the said debts, and the writs and evidents of our heritable estates, WITH POWER to the said Robert Pollock and his foresaids to call and pursue for, uplift, receive and discharge the debts, goods and effects hereby disponed and conveyed, and generally to do every other thing in relation to the premises, which we, or either of us, might have done before granting hereof: AND for rendering these presents more effectual, we, with mutual advice and consent of each other, DO hereby NOMINATE and APPOINT the said Robert Pollock and his foresaids to be our executors and universal legators, and intromitters with our moveable estate, with power to expede confirmations, and make up all other titles that may be necessary BUT DECLARING always, as it is hereby expressly PROVIDED and DECLARED by us, that the said Robert Pollock and the means, estate and effects heritable and moveable before conveyed, ARE and SHALL be burdened with the payment of the just and lawful debts of me the said John Pollock, with my funeral charges; AND ALSO with the payment to me, the said Jean Craig, of a free yearly annuity of Ten pounds sterling, from and after the death of me, the said John Pollock, and that at two terms in the year Whitsunday and Martinmas by equal proportions, beginning the first term's payment at the first of these terms that shall occur after my death, and so on half yearly during her life; as well as to furnish her with a room in the spence [1] of Castlewalls to be occupied by her as a dwelling-house, with one fall [2] of garden

[1] Jamieson and the *Oxford Dictionary* define *Spence* as the interior apartment, or parlour, of a country house, the equivalent of the *ben house* elsewhere; in the neighbouring parish of Beith, too, it is 'an inner apartment,' the better room (*Memories of Ayrshire* (Scot. Hist. Soc., *Miscellany*, vol. vi.), 258). In the text the word clearly denotes a suite of 'better' rooms, presumably because, with farming more prosperous, the but-and-ben, or kitchen-and-spence, have expanded. For an early illustration of this kind of widow's right, cf. *Leg. Quat. Burg.*, cap. xxiii.: '... his spousyt wyffe sall hafe in all her lyfe als lang as scho is wedow the inner halfe of the hous that is callyt the flett. And the ayre sall hafe the tothir halfe. ...'

[2] The *fall* was 36 square ells; 40 of them equalled one rood, and 160 of them equalled one acre.

ground, and as much fewall as she needs for firing; and these during all the days and years of her life: AND the said Robert Pollock shall also be obliged to give her at my death, two beds and beddings of cloaths: AND the said Robert Pollock and the estates and effects heritable and moveable before disponed, ARE and SHALL be farther burdened with payment to Jean Pollock our daughter, Spouse of Andrew Clark of Castlewalls, of the sum of Eighty pounds sterling; to Martha Pollock and Janet Pollock our daughters, the sum of One hundred pounds sterling each; beside each of them is to get the Chest of Drawers which they now respectively possess: AND FARTHER, each of them is to get two bedding of cloaths, with tyking [1] for two beds: AND to John Pollock our son, the sum of Two hundred pounds sterling, together with two beddings of cloaths and tyking for two beds: AND which several sums and effects shall be payable to the saids Jean, Martha, Janet, and John, Pollocks at the first term of Whitsunday or Martinmas that shall occur after the death of me the said John Pollock, with the legal interest thereon from said term of payment till payment; and which annuity and other provisions before mentioned in favour of me, the said Jean Craig, are hereby accepted of by me in full of all terce, legal or conventional, third or half of moveables claimable by me at the death of the said John Pollock, my husband; and which provisions before mentioned, in favour of the saids Jean, Martha, Janet, and John, Pollocks, are to be accepted of by them, respectively, in full of all legitim,[2] dead's part,[3] widow's third portion natural, and any other claim which they have, or may or can have in and through the death of us the said John

[1] The cloth case for holding the feathers or chaff of the bed or bolster.

[2] The right of the child or children to a share of the deceased's moveable estate; if there is a widow, the legitim is one-third (the widow claiming another third), if not, it is one-half; and it is divisible equally among all children, including the heir.

[3] That part of the moveable estate which remains after deduction of the widow's right or children's legitim, or both, and of which the testator has free disposal; it is thus equal to one-third or one-half of the whole moveables.

Pollock and Jean Craig or any one of us, whensoever that shall take place, and no-otherwise : RESERVING always to me, the said John Pollock, my own liferent right and use of the whole premises ; with full power and liberty to me, with the consent and approbation of the said Jean Craig—should she be in life only—at any period of my life, even on death-bed, to ALTER, INNOVATE or REVOKE these presents, in whole or in part ; AND to ASSIGN and DISPOSE of the effects hereby conveyed in any manner I may think proper : BUT, in so far as these presents shall not be ALTERED or REVOKED, the same shall be valid and effectual, although found lying in my custody, or in the custody of any other person undelivered at the time of my death,[1] with the not delivery whereof we the said John Pollock and Jean Craig Spouses, with mutual advice and consent foresaid, hereby forever dispense, and declare the same to be as valid and effectual to all ends and purposes, as if an actual and formal delivery had taken place, any law or practice to the contrary notwithstanding : AND we consent to the registration hereof in the books of Council and Session, or other Judges books competent, therein to remain for preservation ; and that letters of Horning on six days' charge,[2] and all other legal execution may pass upon a Decree to be interponed hereto in common form ; and for that purpose CONSTITUTE . . . . .

. . . . . .

OUR PROCURATORS etcetera. IN WITNESS WHEREOF these presents written upon this and the two preceding pages of stamped paper, by John Dunn, Clerk to Thomas Carswell, Writer in Lochwinnoch, are subscribed by the saids John

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[1] Exceptionally, the normal requirement as to delivery of a deed to make it obligatory on the granter might be waived if the deed contained a clause dispensing with delivery ; or if it were a testamentary writing ; or if the granter himself had an interest in it, *e.g.* by way of reserved liferent (Erskine, *Inst. of Law of Scot.*, Bk. iii., Tit. ii., §§ 43, 44). The present deed fulfils all three conditions.

[2] Letters of horning were the usual method of recovering debts due to the deceased—an official summons to the debtor to pay within a specified time, under the pain of rebellion, the messenger who delivered them being bound to attest the execution of the citation.

Pollock and Jean Craig, the granters hereof, and by the said Robert Pollock in token of his consent to, and approbation of the whole premises, at Lochwinnoch, this fourteenth day of December, Eighteen hundred and twenty two years, before these Witnesses, John Orr Grocer in Lochwinnoch, and the said John Dunn Writer hereof, and John Beith and William Connell both apprentices to the said Thomas Carswell.

JOHN POLLICK.

John Orr Witness.
John Dunn Witness.
John Beith Witness.
Wm. Connell Witness.

At desire of the abovementioned Jean Craig and by authority from her who declares that she never could write, and she having in token of the authority given to us touched our pen We Robert Caldwell & Thomas Carswell Notaries Public & Co-Notaries in the premises do hereby subscribe for her, the beforewritten Deed having been previously read over to the said Jean Craig in presence of us & of the witnesses before designed.

ROBERT POLLOCK.

ROB. CALDWELL, N.P.
THOM. CARSWELL, N.P.

TESTAMENT TESTAMENTAR [1] UMQUHILE JOHN POLLOCK, 1826

The Testament Testamentar and Inventory of the goods gear and Debts of umquhile John Pollock of South Castlewalls in the Sheriffdom of Renfrew at the time of his

[1] Where the executor has been named by the deceased, the deed authorising him, after the submission of the inventory, to recover and administer the whole estate and due debts is called a testament-testamentary; but where the judge nominates the executor, it is a testament-dative (Erskine, *op. cit.*, Bk. iii., Tit. ix., § 27).

decease which was upon the seventh day of April Eighteen Hundred and twenty six made and given up by the Defunct himself upon the sixteenth day of August Eighteen Hundred and twenty four in so far as concerns the nomination of Executors and now made and given up by Robert Pollock eldest son of the said Defunct in so far as concerns the Inventory of the Debts and sums of money after written allenarly[1]; which Robert Pollock the said umquhile John Pollock nominated and appointed to be his Executor and universal legator & intromitter with his goods and gear with power to expede Confirmations and make up all other titles that may be necessary & that by his Disposition and Settlement Dated the said sixteenth Day of August Eighteen Hundred and twenty four:—

1mo. Amount of Cash in Defuncts House at his death	£11	0	0
Two New Calved Cows	12	12	0
Two do. do.	13	0	0
Two do do.	11	0	0
Two Tiddy[2]	12	0	0
Two Queys[3]	6	6	0
Two do.	7	0	0
Three Stirks	5	10	0
Two Calves	1	0	0
A Bay Mare	20	0	0
Do. Horse	8	0	0
Swine pig	0	7	0
Closs bodied Cart with Iron axletree & wheels	3	0	0
Waggon body	0	16	0
Pair of old Cart wheels with wooden axletree	0	10	0
An old Corn Chest	0	0	6
An old Cart body	0	1	6
A pick quarry mele[4] & a flachter spade[5] .	0	3	0

[1] Only.
[2] A pregnant cow.
[3] A young cow or heifer, before it has had a calf. The custom in Renfrewshire about this time was to take the first calf from the cow at the age of 24 or 25 months (Wilson, *Gen. View of Agric. of Renf.*, 146).
[4] Maul or mallet.
[5] A spade for casting turfs.

Lot of Old Wood (In Carthouse) . . .	£0	1	6
Five peat barrows	0	3	0
Two wheel bodied barrows	0	3	0
Two peat spades two flells [1] & two hay forks .	0	4	0
Two Corn forks nine rakes and two pair of Clippers	0	3	0
A Hay mill and two riddles . . .	0	1	0
Potatoe Peck [2] Dish and Weight . . .	0	1	0
Two scythes with sneds [3] & four ladders .	0	4	6
A Lot of Hay and Straw	0	10	0
An old Cart body & Car [4]	0	1	0
A Lot of Bear & Corn	0	15	0
Eighteen old sacks & sowing sheet . .	0	10	0
Two old Barrells and an old shovel . .	0	0	6
A Lot of Wood & Old Iron	0	1	0
An iron plough trees & chains . . .	2	0	0
A pair of old harrows	0	3	0
A Lot of Boghay	0	2	6
Small Corn stack	1	10	0
Quantity of peats	1	0	0
Lot of Potatoes	2	10	0
Quantity of Dung (in Dunghill) . . .	5	0	0
Four Cows Boyns [5]	0	2	6
Three Cart saddles & Breeching [6] . .	1	0	0
Three Brachems & four pair of hems [7] . .	0	15	0
A pair of blinders [8] and a Lot of old Ropes .	0	6	0

[1] Flails.

[2] The quarter-firlot in the old Scots dry measure. Though weights and measures were to be standardised throughout Britain from 1707 (Art. XVII of the Treaty of Union), they were still in common use in Scotland in the nineteenth century, varying widely for different commodities as well as in different localities. The Renfrewshire potato peck was now taken as equivalent to 36-37 lbs. avoirdupois (Wilson, *op. cit.*, 195).

[3] Sned : the shaft or pole of a scythe (Jamieson).

[4] A sledge or hurdle without wheels : a common form of local transport in rural Scotland.

[5] A tub or milk-pail ; cf. Robertson, *Rural Recollections*, 571.

[6] The breech-band of a shaft-horse.

[7] Both these words denote types of collar for a working horse (Jamieson, *sub voc.* BRECHAME, HAIMS).

[8] *I.e.*, blinkers.

Three spades & two shovels	£0	2	6
Three Potatoe Grapes two Dung do. and two Clauts [1]	0	3	6
A Lot of Wood on Different places of lands	0	3	0
A Lot of old sticks in Byre and a quantity of Litter	0	1	0
Fourteen milk cogs [2]	0	9	0
4 do. do. & small Boyn	0	2	0
Two Gentleman's Riding Saddles and one Lady's do.	1	5	0
Two Bridles & a pair of spurs	0	3	0
An old gun	0	1	6
Two old Fir Bedsteads	0	2	0
1 Water stoup [3] & a watering Can	0	2	0
Six metal pots 1 Kettle and two pans	0	13	0
Seven old common and one elbow hardwood chairs	0	7	0
Four small and one large fir stools	0	3	0
A Dresser and Rack and a quantity of Chattery ware [4]	0	10	0
A pair of Brass candlesticks a Cheese toaster a Bake Board girdle [5] and Roller and Bread Toaster	0	6	6
An eight day Clock with Black birch Case	1	10	0
A Kitchen Chimney swee [6] pair of tongs and fire shovel	0	5	0
An old Press with drawers	0	1	6
Three spinning wheels & two reels	0	4	0
An axe and hammer	0	1	0
Three stone hammers	0	1	0
An old hardwood table	0	1	0
A fir chest	0	1	6

[1] Hoes or instruments for raking dirt.

[2] Wooden vessels for milk, broth, etc.

[3] A deep narrow flagon ; water-pitcher or bucket.

[4] Obscure ; probably earthenware or stoneware. Cf. *Scot. Nat. Dict.*, where ' chattery '=stony, hard.

[5] Griddle.

[6] Crane or swing-bar for suspending pot over fire.

Large Meal Chest with about eight Bolls [1] of Oatmeal	£7	0	0
A Beef Barrell & a quantity of salted Beef	0	7	6
A churn with a quantity of salt	0	1	6
An old clapping sieve,[2] a cheese knive and a Lot of old Iron	0	2	6
A Cheese Boyne & a washing do. an earthen Butter Crock and a small Boyn	0	6	0
Large Black Birch table	0	10	6
Small folding do.	0	1	6
Five old common and one elbow hardwood Chairs	1	0	0
Two looking glasses or Mirrors	0	1	6
A chimney & pair of tongs	0	1	0
A dozen of China Cups & saucers & Sugar Bowl	0	5	0
Five China Cups and saucers & milk dish	0	1	6
Sixteen pewter spoons	0	0	10
One earthen and white iron [3] tea pots	0	2	0
A Lot of old Black Bottles	0	1	0
Two large Earthen Bowls	0	2	0
1 Earthen jug and steck Dish	0	0	9
A Rolling Churn	0	3	0
Five cheese vats	0	3	6
Two Cheese Barrows [*sic*] and three Milk Barrells	0	3	0
An old Press with a quantity of old Books	0	3	0
An old Iron saw and three potatoe Baskets	0	1	0
Three old Fir Boxes and a grindstone handle	0	1	0
Three small Cheeses	0	10	0
Thirteen pairs of Blankets	3	5	0

[1] 4 firlots, or one-sixteenth of a chalder in the Scots dry measure. The Renfrewshire boll for oats and bear is given as 13,623 cu. ins., for beans and pease as 9,617 cu. ins., while the Linlithgow boll (the standard for wheat) contained 8,798 cu. ins. (Wilson, *View of Agric. of Renf.*, 194). These approximate to 6⅓, 4½ and 4 English bushels.

[2] Obscure; perhaps a shaking sieve, or one with a lateral movement.

[3] Tin-plate.

Four ticky [1] Beds and a tweel [2] do. . .	£0	15	0
Six Bed Covers	0	18	0
Five Bolsters and 3 pillows filled with Chaft [3]	0	4	0
Five do. Slips and three pillow do. .	0	4	0
Two pair of sheets	0	9	0
One Black Coat one pair of Breeches and vest	0	5	0
Two old Blue Coats two pair of Breeches & two vests	0	5	0
One Great Coat	0	3	0
One pair of old Boots and a pair of shoes .	0	5	0
Seven pair of stockings	0	5	0
Six harn [4] and six linen shirts . . .	2	2	0
3 Crystal dram glasses	0	1	0
	£157	3	1

Summa Inventarii One Hundred and fifty seven pounds three shillings and one penny sterling.

John Colin Dunlop Esquire Advocate Commissary of the Commissariot of Renfrew, having power of Confirmation of Testaments [5] within the bounds of my jurisdiction by these presents Ratify Approve of & Confirm this present Inventory and Testament before written together with the Executor therein Constituted in so far as the same is justly & truly made and given up & no otherways. And further I hereby Commit full power to the said Executor to meddle and intromit with the Debts and sums of money given up and contained in the foregoing Inventory & Testament and if need be to call and pursue therefor to uplift & receive the same & generally every other thing thereanent to do

[1] Of cloth ; cf. ' Tyking,' *supra*, p. 150, and n. 1.

[2] Twill, cloth so woven as to give a ribbed appearance, a diagonal pattern ; the forerunner of ' Tweed.' Cf. *Oxford Dict., sub voc.* TWILL, TWEED.

[3] Chaff.

Hardin, cloth made of hards, or refuse of flax ; coarse.

[5] Confirmation of testaments, one of the functions of the Commissary Courts, was the judicial sentence authorising the executor, after the presentation of his inventory, to sue for, possess, and administer the whole estate of the deceased.

that to the Office of Executor Nominate is known to belong; Providing always just Count and reckoning be made by the said Executor when and where the same shall be legally required. Given under the seal of Office of the Commissariot of Renfrew & signed by the Clerk of Court at Paisley the thirtieth day of November Eighteen Hundred and twenty six. JAMES WYLIE.

SOUTH CASTLEWALLS, 22 Nov. 1830. ARTICLES OF ROUP AND CONDITIONS OF SALE OF FARM STOCK AND LANDS TO LETT WHICH ARE TO BE EXPOSED TO PUBLICK ROUP THIS DAY BY ROBERT POLLOCK.

Art. 1. Said stock will be seet up in lots to suet intending purchers and the highest offerr to be prefered to the purchs by his imeadatly giving satisfaction to the exposer and judge of the roup payable four monthes after date and if payed to recive the reguler discount which is sixpence per pound at five pounds or above and under to be paid instantly into the hands of the clark of the roup and without the benifet of the discount.

Art. 2. All lots, as soon as called out to be at the intire risk of the purcher and the catle is to be caread of this day but not untill satisfaction is given as is foresaid and beside the prise offared the purchers to pay the necsay [1] stamps and untioners [2] fees which is one shilling for each cow and quay and each lot of corn and hay and each lot of tillage and pasture and fourpence for each sheep.

Art. 3. The lands for tilage is for two years crop in lots and by the acre as it shall measure and to be sown clean of all gull [3] seeads and the exposer reserves

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[1] *Sc.* 'necessary.' [2] Auctioneer's.

[3] Gool, or goold, corn-marigold, regarded as a weed and especially detested in the west.

liberty to sow the lands with rygress seed the sicond year and the purchers to have no right to the fougage [1] except for the express purpos of cayring of the crop and payable att Candlemess 1832 and 33.

Art. 4. The entry to the pasture lands att the 1 of May 1831 and the cattle is to be removed of said lands at the 1 of Desember and the purcher is to have no liberty to put sheep theron.

Art. 5. Anny person faling to fulfill these artieles is liable in A fifth part of the price offered and to have no right to the purchase and the judge shall have it in his pour to retain the same or expose it Anew.

Art. 6. And the exposer reserves liberty for one ofer for any article or lot he sees proper.

Art. 7. Mr. Fulton of Sproulston [2] is appointed judge of this roup with full powr to adjourn the same from time to time as he may see cause and to settle all disputs betwen partees thereanent and his termenation to be binding on all parties.

ROBERT POLLOCK.
WILLIAM FULTON.

Lot first of land for tillage fell into the hands of William Craig Farmer Brachoc [3] at four pounds thirteen shillings sterling per Acre and lot 7 fell into the hands of Robert Craig Farmer Brachoch at five pounds one shilling sterling

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[1] Foggage, the right of pasturage on the 'fog,' or rank grass that grew after a crop was cut.

[2] William Fulton was proprietor of Sproulston, the highest in value (£64) of the farms on Auchinbathie-Blair (Crawfurd, *Hist. of Shire of Renfrew*, ed. Robertson, 351). He was a trusted friend of the Pollocks, being named along with a son, John Pollock, as manager of Jean Pollock's legacy of 1826; the *jus mariti* of Andrew Clark was secluded. (Information derived from the family papers.) Sproulston is nearly 1¾ miles S.S.W. of South Castlewalls.

[3] Braco lies nearly 1¾ miles S. by E. from South Castlewalls, and is in Neilston parish.

per acre for which they become bound for payment Conjunct and Severally according to said articles.

William Craig.
Robert Craig.

Lot Sixt fell into the hands of Alexander Pollock of Top house [1] at four pounds four shillings sterling per acre for which he along with John Pollock grocer Johnston becomes bound for payment conformed to said articles.

Alexander Pollock.
John Pollock.

Lot Second fell into the hands of James Ross of Broadfield [2] at five pounds two shillings sterling per acre also lot fourth at four pounds seven shillings sterling per acre for which he along with John Clark becomes bound for payment conformed to said articles.

James Ross.
John Clark.

Wardhead [3] park fell into the hands of John Young for grasing and peats at five pounds thirteen shillings sterling for one year for which he along with Robert Young Rewoch [4] becomes bound for payment conformed to said articles.

John Young.
Robert Young.

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[1] Tophouse (valued rent, £28) was also in Auchinbathie-Blair (Crawfurd, *op. cit.*, 351); it lies about a mile S.S.W. of South Castlewalls.

[2] Nether and Over Broadfield (the latter as two holdings) formed three of the farms of Auchinbathie-Wallace (Crawfurd, *loc. cit.*). They lie immediately N.W. of South Castlewalls.

[3] John Pollock's farm included, besides South Castlewalls, (1) the Ward (or Moor) and Moss, (2) two acres of meadow, and (3) the Broomhill acre —(2) and (3) having formerly been parts of the 4s. 9d. land of William Henderson in Auchinbathie. (From family papers.) (1) may have been Wardhead park, now let for pasture apparently in two lots, as indicated in this and the following entry.

[4] Reivoch appears in Robertson's list of 1818 as two farms of Auchinbathie-Blair, each valued at £24, 6s. 8d. (Crawfurd, *loc. cit.*). Reivoch is about a mile S.W. of South Castlewalls.

Wardhead park fell into the hands of Robert Muir Farmer Wardgate [1] at thirteen pounds seventeen shillings sterling for grazing for which he along with George Blackwood farmer Lorabar [2] becomes bound for payment conformed to said articles.

ROBERT MUIR.
GEORGE BLACKWOOD.

Lot third for tillage fell into the hands of William Wallace jun. Overtoun [3] at three pounds ten shillings sterling per acre also lot fifth at four pounds thirteen shillings ster. per acre for which he along with John Gemmil Overtoun becomes bound for payment conformed to said articles.

WILLIAM WALLACE.
JOHN GEMMILL.

Brim hill [4] Ryegrass fell into the hands of William Wallace jun. Overtoun and John Gemmil Overtoun at five pounds per acre for Cutting for which they become bound for payment conjunctly and severally conformed to said articles.

WILLIAM WALLACE.
JOHN GEMMILL.

	A.	R.	F.[5]	£	s.	d.
William Craigs lot of corn . .	1	1	10			
and at £4, 13s. per acre amounts to				6	2	$0\frac{3}{4}$
James Ross lot of corn is . .	1	1	4			
and at £5, 2s. per acre amounts to				6	10	$0\frac{1}{2}$

[1] Wardgate, or Wardyett, lies $1\frac{1}{2}$ miles W. by S. from South Castlewalls.

[2] Lorabar is given by Robertson as a farm in Beltrees barony (Crawfurd, *op. cit.*, 352). It lies $1\frac{1}{2}$ miles west of South Castlewalls.

[3] Robertson's list shows Robert Pollock and Francis Gemmill as proprietors of parts of Overtoun, in Auchinbathie-Blair (Crawfurd, *op. cit.*, 351). Overtoun lay nearly $\frac{3}{4}$ mile S.S.W. of South Castlewalls.

[4] For Broomhill, *vide supra*, p. 160, n. 3.

[5] *I.e.*, Acres, Roods, and Falls.

	A.	R.	F.	£	s.	d.
Lot 4th fell into the hands of James Ross wich contains . . .	0	2	25			
amounts to				2	17	$1\frac{1}{4}$
Price of the two . .				9	7	$1\frac{3}{4}$
William Wallace junior lot of corn .	1	0	39			
amounts to				4	7	$0\frac{3}{4}$
Lot 5 [1] also fell into the hands of William Wallace junior and at £4, 13s. amounts to . . .				4	14	$8\frac{3}{4}$
Price of the two . .				9	1	$9\frac{1}{2}$
Lot 6 Alexander Pollocks lot is .	1	0	13			
amounts to				4	10	2 [2]
Lot 7 Robert Craigs lot is . .	0	2	$7\frac{1}{2}$			
amounts to				2	15	$2\frac{3}{4}$

[1] The area of this lot (not stated) would work out at 1 acre, 0 roods, 3 falls.
[2] Error : should be £4, 10s. 10d.

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REPORT OF THE SIXTY-SECOND ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

The Sixty-second Annual Meeting of the Society was held in the Rooms of the Royal Society, George Street, Edinburgh, on Saturday, 11th December 1948, at 3 p.m.

The Rt. Hon. Lord Cooper, LL.D., President of the Society, was in the Chair.

The Report of the Council was as follows :—

During the past year members of the Society have received the two volumes of *Charters of the Abbey of Coupar Angus*, which are those for 1944-45 and 1945-46. Edited with scholarly introduction and annotation by Dr. D. E. Easson, they include 310 charters, *in extenso* or in abstract, of the years 1166-1608 and make a valuable addition to knowledge of the Cistercian Order in Scotland as well as to Scottish economic history and biography.

As intimated in the last Annual Report, the only volume for the two years 1946-47 and 1947-48 will be the *Accounts of the Collectors of the Thirds of Benefices*, edited by Dr. Gordon Donaldson. The text of this volume is now in proof and it is hoped that it will be ready for issue before long.

In addition to the items previously mentioned for inclusion in *Miscellany Volume VIII*, to be issued for 1948-49, Dr. W.

Stanford Reid is editing some accounts relating to the household of James IV. For reasons of cost this volume will be kept smaller than those of the three previous years, but should be of similar size to the last *Miscellany Volume*, issued for 1939-40. For the same reasons the Council have decided to print only in alternate years the List of Members and List of Publications which have formerly been printed at the end of each volume, and to conform to the advice of the British Records Association that charters of date later than 1306 should not normally be printed *in extenso*.

The Council have in the past year gone carefully into the costs of the Society's volumes and, while every endeavour will be made to keep these as low as is consistent with the quality of the work involved, they see no probability of its volumes costing less than £350-£400 at an average length of about 250 pages. They therefore urge members once more to recruit their friends and thus increase the annual revenue beyond the present inadequate amount.

In order to bring the Rules, as printed at the end of each volume, into conformity with existing practice, an alteration of Rule 5 will be proposed at the Annual Meeting, so that it read 'The Society normally issues one volume each year.' The Council have also decided to increase the price of past publications to members from 10s. 6d. to £1, 1s.

The Council record with gratitude the generosity of the Carnegie Trustees for the Universities of Scotland, who have offered to contribute up to £100 towards the cost of the volume now in the press.

An appeal from the Society of Antiquaries of Scotland for donations to its Purchase Fund is circulated with this Report and is commended by the Council to members.

Members of Council who retire in rotation at this time are Dr. J. D. Ogilvie, Professor W. Croft Dickinson and Dr. W.

Angus. To the regret of the Council Dr. Ogilvie has expressed a wish to retire, and Mr. C. I. Fraser of Reelig has also felt obliged to resign in view of his other commitments. The Council recommend the re-election of Professor Dickinson and Dr. Angus, and the election of the Rev. Donald Mackinnon and Dr. G. S. Pryde in place of Dr. Ogilvie and Mr. Fraser.

The Society has lost during the year 20 members by death or resignation: the names of 7 others whose subscriptions were in arrear have been removed from the list. 21 new members have joined. The total membership, including 141 libraries, is now 411.

An Abstract of the Accounts for 1947-48, as audited, is appended.

Professor J. D. Mackie, Chairman of Council, moved the adoption of the Report. He outlined the economies proposed by the Council and stated that libraries were gradually taking the place of private members.

Mr. J. R. Philip seconded, and the Report was unanimously adopted.

On the motion of Mr. R. L. Mackie, seconded by Mrs. Annie I. Dunlop, it was agreed that Rule 5 should be altered to read 'The Society normally issues one volume each year.'

The President then delivered an address entitled 'Solar Eclipses and the Scottish Chroniclers,' in which he conducted an experiment for checking the reliability of mediæval chronicles and the methods of their compilers. The one type of event which chroniclers frequently recorded and which could be accurately reconstructed as to time and place was a solar eclipse. Using modern computations as a basis, Lord Cooper exhibited slides showing the path of the shadow and the apparent time of its passage for seven twelfth-century

eclipses visible in Britain. By comparing the facts so revealed with the relative entries in the two Scottish chronicles it was shown that, with one doubtful exception, the Melrose Chronicle accurately recorded what was visible from Lowland Scotland, but that the Holyrood Chronicle was more often wrong than not. An extension of the test to cover English and other contemporary chronicles would help in determining which of the compilers recorded facts at first hand.

Lord Cooper was cordially thanked for his address on the motion of Dr. G. S. Pryde. He then entertained the Society to tea.

ABSTRACT Account of Charge and Discharge of the Intromissions of the Honorary Treasurer for the year from 1st November 1947 to 31st October 1948.

CHARGE.

I. Cash in Bank at close of Account for year ended 1st November 1947—			
1. Sum at credit of Savings Account with Bank of Scotland . . .	£232 1 0		
2. Cash in hands of Bank of Scotland to meet current postages . . .	0 19 11½		
	£233 0 11½		
Less : Sum at debit of Current Account with Bank of Scotland . . .	120 5 3		
		£112 15	8½
II. Subscriptions received		432 13	0
III. Past Publications sold (including postages recovered from purchasers) . . .		33 19	3
IV. Interest on Savings Account with Bank of Scotland		2 19	7
V. Refund of Income Tax		56 13	10
VI. Miscellaneous		2 2	0
VII. Sums drawn from Bank Current Account . . .	£452 12 10		
VIII. Sums drawn from Bank Savings Account . .	£100 0 0		
		£641 3	4½

DISCHARGE.

I. Cost of printing Publications during year . . .	£370 1 9		
Cost of printing Annual Report and Printers' postages, etc. .	41 8 10		
		£411 10 7	
II. Miscellaneous Payments, including Bank's postages		41 15 2	
III. Sums lodged in Bank Current Account	£625 8 1		
IV. Sums lodged in Bank Savings Account	£2 19 7		
V. Funds at close of this Account—			
1. Balance at credit of Savings Account with Bank of Scotland	£135 0 7		
2. Balance at credit of Current Account with Bank of Scotland	52 10 0		
3. Cash in hands of the Bank of Scotland to meet current postages . . .	0 7 0½		
		187 17 7½	
		£641 3 4½	

EDINBURGH, 11*th November* 1948.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the year from 1st November 1947 to 31st October 1948, and I find the same to be correctly stated and sufficiently vouched.

HENRY W. MEIKLE,
Auditor.

Scottish History Society

LIST OF MEMBERS

1*st November* 1948

LIST OF MEMBERS

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